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Subseries:	Conferences

OA/ID Number:	52077
Folder ID Number:	52077-011

Folder Title:

[President's Committee on Employment of the Handicapped Annual Meeting] [1988]

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The President's Committee on Employment of the Handicapped



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May 25, 1988

Mr. Lex Frieden, Exec. Dir.
National Council on the Handicapped
800 Independence Avenue, S.W.
Washington, DC 20591

Dear Lex:

Again, thank you for your participation in our Annual Meeting's Friday morning plenary session. Enclosed for your information is a transcript of the program.

Sincerely,

Paul Hippolitus, Director
Office of Plans, Projects & Services

Enclosure

Dignity, Equality, Independence through Employment

Associate
Members

The Secretary of State
The Secretary of the Treasury
The Secretary of Defense
The Attorney General
The Secretary of the Interior

The Director of the
United States
Information Agency
The Secretary of Agriculture
The Secretary of Commerce
The Secretary of Labor

The Secretary of Education
The Secretary of Health and
Human Services
The Secretary of Housing and Urban
Development
The Secretary of Transportation

The Administrator of
the Veterans Administration
The Director of the Office
of Personnel Management
The Administrator of the General
Services Administration
The Postmaster General

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NATIONAL AGENDA

Washington Hilton
1919 Connecticut Avenue N.W.
International Ballroom East
Washington, D.C.

The above-entitled matter convened, pursuant to Notice, at 9:35 a.m.

LEX FRIEDEN, PRESIDING

CLARENCE THOMAS

BILL GALLAGHER

FRANK BOWE

JAY ROCKLIN

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PLENARY SESSION

P R O C E E D I N G S

1
2
3 MR. THOMAS: We have got to have some way to make
4 it work. It is really frustrating when we get cases and we
5 do get them, involving whether an individual is a qualified
6 handicapped person. In the Federal Government we find that
7 the individual is claiming a handicap because he is unable to
8 get up in the morning, or claiming some sort of claustrophobic
9 effect for riding on the subway, or sprained finger or
10 hangnail, or short-term post-operative disability, for two
11 weeks or something, or a trick knee from playing football.

12 There is a whole list of things. Now we can debate
13 the definition, but you all have to understand that a lot of
14 the law is made from the fringes. It is not made with the
15 easy cases and those cases, somehow, those fringe cases have to
16 be dealt with at the definition and that was the point that
17 Evan Kemp was making, yesterday, and I concur with that,
18 wholeheartedly. Those are administrative problems.

19 Let me make one other general point, we can
20 get into a lot of different things in discussion. No matter
21 how good the legislation is, even with the--if you don't have
22 the money to enforce it, it is a waste of time.

23 Now, I was at the Department of Education and I
24 remember listening then about the complaints of 94142 and the
25 fact that it has never been fully-funded, as promised. These

1 are, again, empty rhetorical promises, without the where-
2 with-all to enforce the law. If this legislation comes over
3 to EEOC, without any resources, the President's budget
4 request for EEOC, last year, just to do what we are doing
5 now was \$193,000,000. We got \$179,000,000. His request this
6 year was \$194,000,000. We will probably get \$179,000,000
7 again.

8 Okay, there is no way to do what we are even doing
9 now, with that budget and if you add new legislation to our
10 responsibilities in the private sector, I guarantee you, that
11 as soon as we get this legislation, this area will account
12 for about half of our work. There is no way we are going to
13 be able to do what we have now, plus, this, without resources.

14 What we are trying to do, is to prepare the agency
15 to take on the new responsibility and we are also trying to
16 prepare ourselves with our own regulations with how to deal
17 with some of these tough questions. And Evan Kemp has done
18 just a tremendous job, I think, in getting us to do that.

19 It takes time and we don't have all of the answers
20 and I don't want to give you answers that aren't going to be
21 working for the next few years.

22 So with that, let me pass the baton and thank you
23 for having me, again.

24 CHAIRMAN FRIEDEN: Well, I am delighted, Mr. Thomas,
25 that I am multi-handicapped because I have a hangnail and I

1 a subway paranoia difficulty getting up in the morning.

2 The next speaker on our Panel, this morning
3 is Mr. Bill Gallagher and Bill for many years has been
4 associated with the American Foundation for the Blind and
5 prior to his present role, as Executive Director, where he
6 has served, since 1980, he was an Associate Director for
7 Advocacy and I believe that is the point that I want to
8 challenge Bill to challenge all of us, this morning, in
9 terms of advocacy and Bill Gallagher is now standing advocate
10 for people with all disabilities.

11 Bill?

12 MR. GALLAGHER: Thank you, very much, Lex. I was
13 a little uneasy when Lex mentioned that we had oranges in
14 the audience and when he mentioned that maybe we would be
15 able to throw them at the Panelist, I would appreciate it if
16 anyone does, that they would speak first, so I would have
17 a chance to duck.

18 I also gave a talk a few years ago in Boston and
19 I started to speak and the people in the back of the room said,
20 "We can't hear you back there." So I tried to raise my voice
21 a little louder and they kept saying, "We still can't hear
22 you." So the people in the front of the room turned around
23 and said, "You can't hear him back there?" And the people
24 said, "No." Then the people in the front of the room said,
25 "Well, move over, we are coming back."

1 MR. BOWE: Bill, I have to tell you I am sitting
2 right beside you. I can't hear a word you are saying.

3 MR. GALLAGHER: Frank just said he couldn't hear a
4 word I am saying.

5 The other day Frank and I were at a meeting and we
6 both had to go to the washroom and he said, "Well, this is
7 an opportunity for the deaf to lead the blind." I said,
8 "Between the two of us, our IQ equals Helen Keller's."
9 I was also very pleased when I heard about the Committee
10 inviting us Panelists. Clarence is from Holy Cross College and
11 I also am from Holy Cross College, so it was a good start.
12 But I walked over to Clarence and said, "I am from Holy Cross."
13 he said. "What year?" I said, "'48." He said, "Gee, I
14 was born that year."

15 I think this gives us an opportunity to talk about
16 rehabilitation, vocation, and I would like to throw out just
17 a few of my ideas, so that we can have a good discussion. I
18 am all for this Rehabilitation Act or Disability Act. I think
19 it will mean a lot to people with a disability. I also feel,
20 that we need rehabilitation up higher on the organizational
21 chart.

22 When we had Health, Education and Welfare, HEW, I
23 felt we needed, Health, Education, Rehabilitation and
24 Welfare, HERW. I see the same thing in the organizational
25 chart, now, that rehabilitation is a second cousin. It is

1 down low on the chart and I think we need it up with
2 Education and Health and Human Services. I also feel that
3 sometimes we rush an individual into employment, a person
4 who is newly blinded or with a newly disability, that we
5 try to get the job, right away, or retention to keep the
6 person on the job. I think it is is extremely important for
7 us to allow this person to be rehabilitated and to go through
8 five phases of rehabilitation, diagnostic evaluation,
9 let's take a look at who he is or who she is and what this
10 disability has done to this individual. I then feel the
11 next step is personal adjustment and I know in many cases
12 we rush this phase. I know in the field of blindness a
13 little mobility, a couple of braille lessons and a couple
14 of pots and pans and the person is rehabilitated. I think
15 this is a crisis. I think this is a phase. I think that the
16 person needs a great deal of assistance, in communication
17 techniques, daily living, counseling of one phase or another.
18 Then I think the person is ready for vocational evaluation.
19 Then I think from there into either a vocational/educational
20 training, retraining or the appropriate adapted material
21 and techniques and knowledge to stay on the job.

22 Then we go into vocational placement and leisure
23 time activity. Too many people are lost in rehabilitation
24 because they don't have a vocational objective. I think we
25 need to rehabilitate and then when this person has this

1 opportunity, they can feel much more comfortable as they
2 plan their future and their vocational future.

3 I also feel that sometimes in our public educa-
4 tion, in our information to the general public about the
5 disability, that we stereotype blind persons and individuals
6 with a disability. I think we must stress that the individual
7 is an individual and that we look at this person as an
8 individual who happens to have a disability.

9 I find sometimes we may have too many people in the
10 field of blindness who are blind. I think it is important
11 that blind people do work in the field of blindness, but for
12 public education, I think it is important if a blind
13 person competes in an education or vocational setting with
14 his sighted friends and peers and people in an employment
15 setting.

16 This to me, many times, is true public education.
17 We can't allow the person with the disability to come into
18 the "professional sheltered job". I think it is extremely
19 important if the person does have a disability that, sure,
20 some who see this as a dedication, should be in that field,
21 but I think it is important for all of us to strive to allow
22 this person to be in the community and to compete in an
23 employment market.

24 I will stop there and turn it over to the next
25 Panelist.

1 CHAIRPERSON FRIEDEN: Thank you, Bill. Our next
2 Panelist is Carolyn Gray, who is Commissioner of the
3 Administration on Developmental Disabilities. And prior to
4 her present position, she was Deputy Assistant Secretary
5 for Human Development Services, in the Department of Health
6 and Human Services, yet, she believes that all government
7 services, just dropped in from another agency in the govern-
8 ment.

9 Ms. Gray has had real experiences in the real world.
10 She is the Manager of her own company, a manufacturing company
11 in Indiana, which she likes to say employes workers with
12 disabilities.

13 Carolyn?

14 MS. GRAY: Thank you, very much, Lex, and thanks for
15 having me back a second year. I appreciate that as well.

16 Bill, you spoke about employment. This morning's
17 figures, Bureau of Labor statistice is down .2 of 1%. The
18 lowest unemployment figures in 14 years. It speaks to us of
19 a message. A message of awareness. A message that in less
20 than a full employment, where each of us must compete with
21 one another, where each of us, in less than full employment,
22 must take into account, not only another's capabilities,
23 which may be greater or less than ours in any given area, but
24 we must take into account preferences and bias and certainly,
25 Clarence, you speak in all of those well.

1 The eloquence can come home in the story of a
2 young man, a young butcher, perhaps just 16, during war time
3 when there were stamp coupons and one wonders who got the
4 good food, the elderly woman coming in or the young chick
5 and I venture to say that the butcher and the young chick
6 soon grew up, some kind of comradery, a bias, if you will?
7 Very definitely not. But we need to think of that when we
8 are now at 5.4% unemployment and moving to a full unemploy-
9 ment and we need to think what happens when that turns
10 around and I truly believe that what we are looking at are
11 the abilities and the skills of each of us.

12 And Sue and I, a few days ago, Sue, were in the
13 northeastern part of the country and it reinforced again and
14 again, you are right, Lex, I learned in my own company,
15 it is people who are timely, people who are committed,
16 people who can learn the skills that have brought this
17 country to its greatness and will maintain us, at its
18 greatness.

19 One of the men, during that trip, said, "Well, you
20 know, Carolyn, it is costing me \$9 to \$10 dollars to hire
21 someone who has a perceived handicap and I can get the non-
22 handicapped for only \$7 an hour. Job coach costs and
23 transportation costs are so expensive." But he said, "In this
24 particular state, we have such a low unemployment, that I
25 can't get anyone." Now, I ask you, is 2 to 3 dollars a good

1 investment? It is a startling good investment and the story
2 that we have to tell again and again and again is that we
3 have competent people. People who will come to work, people
4 who are committed to their work and who are able to work,
5 under all kinds of conditions, whether in a fast food store
6 or grading eggs or entering micro computer chips, can compete
7 in the workforce and, listen, what you are doing here with
8 Jay Rocklin and the Executive Director for the President's
9 Committee and what you have to keep doing is work with us to
10 get the story out.

11 Letters, speeches, constant awareness raising
12 because we have to get to the bottom line. My story is that
13 it makes cents, C-E-N-T-S and S-E-N-S-E for the public and
14 the private sector to join forces for supportive employment.
15 We do that at our Administration for Developmental Disabil-
16 ities and working with other departments, like Department of
17 Ed and Labor, across the public sphere and working in the
18 private sector, as well.

19 The supportive employment, where in Maine, you have
20 hospitals helping to train new workers coming on, coast to
21 coast, in California, where you are looking at the Hotel
22 Association, who plans in the next couple years to hire 200
23 more disabled people. Let's make it 2,000, let's make it
24 20,000, but let's get the awareness out and let's be sure
25 that each of us understands the position from where we speak

1 and the economic reality, the bottom line profit to you and
2 to me, whether it be personal benefit, whether it be monetary
3 and fiscal appreciation, let's talk about it openly and let's
4 be sure that everyone understands what benefits really mean
5 to us as individuals, all of us.

6 We have, and speaking of benefits within the
7 Administration of Developmental Disabilities, spreading
8 the word, so that the Maines and Californias can increase
9 and go to the Oregons and the Floridas and the Ohios.

10 And I am holding up before me a Federal Register
11 Notice that went out on April 21. This gives up to approxi-
12 mately \$3,000,000 of pilot projects that we will be working
13 on this year and, please, if you don't have a copy, the
14 applications are due in by June 20th and Bill Pittman who
15 is with me from the office, or myself will be happy to
16 take your card and mail you one this year or put you on the
17 card for future years.

18 But, again, awareness raising, so that the poten-
19 tial is realized. I tell of a wonderful story. It tells of
20 two people going to South America. I always have men in the
21 audience. I always have the women the hero, so stick with me
22 a moment. But there was a shoe salesman and a shoe sales-
23 woman and they go to South America in the jungles and the
24 man goes to the small village and he stays really just for a
25 couple hours and returns to the local telegraph office and

1 and his telegraph reads as follows: "Returning home, tomorrow.
2 Natives are barefoot."

3 The woman, on the other hand, stays for a couple
4 days and she completely surveys the area. She returns to the
5 same telegraph office. Her telegraph, however, says, "Send
6 double shipment, immediately, potential is unlimited."

7 Thank you.

8 CHAIRMAN FRIEDEN: Next on our Panel is a woman
9 of unlimited potential, a good friend of mine and somebody
10 who shows that starting an independent living, need not be
11 the end of one's life. The Commissioner of Rehabilitation
12 Services Administration, now, is the former Director of
13 Rehabilitation in the state of Illinois and a women who
14 those of us with disabilities are proud to be associated with,
15 Sue Suter.

16 Sue?

17 MS. SUTER: Thank you, Lex. As Lex mentioned,
18 I am new in Washington and I have the distinction of this
19 perhaps being my first and last conference. It really is a
20 pleasure being here today. Talking about future trends and
21 following a little bit about what Carolyn said, I think we
22 absolutely have to talk about employment and people with
23 disabilities becoming employed and how we can assist in
24 getting that done.

25 But I also, think that if you talk about employment

1 because buys options for people in life, whether you are
2 disabled or you are not disabled, so if we talk about
3 employment, we have to talk about transportation because if
4 you can't get to the job, the job makes no difference and we
5 have to talk about accessible and affordable housing because
6 if you don't live near the job, the job doesn't make any
7 difference and if you don't have a pay check, where you go for
8 social activities and if you don't have transportation,
9 then, how do you get to social activities?

10 So I think we have to look at all of those issues
11 in a person's life. At Rehab Services Administration, we
12 are talking about employment and working with people to get
13 jobs. This can be done with our projects with industry
14 programs. It can be done through our supported employment
15 programs. I think we have to take a look at independent
16 living, how we support and work with centers for independent
17 living and provide the services in this country we need
18 because there are a lot of people who need some basic
19 assistance in independent living before they need to talk
20 about jobs and we need to take a look at that.

21 We need to take a look at rehab technology and
22 rehab engineering and make more service technology available
23 to people with disabilities. And we need to coalesce and all
24 of us need to work together in these issues.

25 You have heard a lot about the Americans with

1 Disabilities Act and we need to work together on these
2 issues, so we do have a common voice about what we need and
3 a common voice to hold us as service providers accountable
4 for the services that people with disability need and want
5 and have a right to.

6 Now, those are very easy things to talk about,
7 working in the system. I have to take a look at the system.
8 And as Clarence said first, it is easy to spout philosophy,
9 but then you have to put your money where your mouth is
10 and is the system that we are heading really carrying out
11 and being as responsive as it can be to people with disabili-
12 ties.

13 And for me, I think we have to look beyond. You
14 have to have a vision. And you have to look at what is
15 going on in the person's life, beyond services. I heard a
16 gentleman two years ago by the name of John McKnight and he
17 works in Urban Policy, in Northwestern University, in
18 Chicago. And he said that people had the right to be
19 producers in life and not merely perpetual clients of
20 social service systems and we need a vision of what this
21 vision looks like.

22 And I have a couple of beliefs today, I would like
23 to share with you about our system and some ideas that I have
24 about the system. These are the beliefs that I bring: I
25 believe in community integration. I believe that we

1 segregate people with disabilities to make it comfortable for
2 the community and not because that is the best service
3 for a person with a disability. I believe that we need to
4 empower people with disabilities because only if you are
5 a citizen to have the power in the community to get your
6 needs met. So we have to empower people with disabilities.

7 I believe that all too often, we blame the victim
8 and we look at an individual and we think that if we "fix"
9 this person that their life is going to be honky dory. I
10 call that blaming the victim and what we have to look at
11 is not the person, only, but the environment in which that
12 person lives, the other things besides the disability in the
13 person's life that affects what they are going to do in life.

14 And when someone says to me, and it is usually
15 from the media that I think it is terrific that you have over-
16 come your disabilities. And what I say to them is, "I can't
17 overcome my disability. Disability is not the problem. I
18 can't overcome a flight of steps. I don't need to overcome
19 my disability. It is the barriers that society puts on us
20 that are the obstacles and I really believe that we need to
21 spend more time looking at those barriers.

22 I believe we need options for people with disabili-
23 ties, "Well, after all there are two accessible housing
24 apartment buildings in this community, what more do you folks
25 want? " We are talking options and the right to options and

1 the right to choices. And then we are talking about the
2 bottom line, which is dignity and self-respect and that comes
3 from jobs and it comes from independent living and it comes
4 from a sense of empowerment. And we need to remember that
5 that is the bottom line. I think we over diagnose and we
6 over label people and then we can segregate people and
7 we need to take a look at that.

8 I think that we look at people. Have you seen
9 reports on individuals from a service provider? I am guilty
10 of this. And we will write up a report on an individual and
11 it will say that his individual can't do this and can't do
12 this and we look at, we call it needs assessment and we look
13 at what the person can't do and needs and we are trained to
14 do that, instead of the capacities of the individuals and I
15 think we are trained to see an individual as a glass
16 that is half empty, instead of a glass that is half full.

17 And we need to look at the capacity and what the
18 person can do and not always what the person needs and not
19 what the person can't do and I think if we can accomplish all
20 this, we can integrate people with disabilities into our
21 communities. I think sometimes in our systems, we create
22 dependencies and we go out there and we create needs, so that
23 we can all keep our jobs in the system and I think that our
24 system has to be as responsive and as integrated as we can
25 in serving people that we are getting paid to serve.

1 Those are the issues for me in the future. I will
2 come back in two weeks and let you know the progress in
3 this. No. Those are the issues, I think, in addition to the
4 transportation and employment and housing and we need to look
5 at the whole system in how we serve people with disabilities.

6 Thank you.

7 CHAIRMAN FRIEDEN: Our next Panelist is one who
8 has probably received more television time in the last six
9 weeks than other Disability Rights personality, but he hasn't
10 gotten as much time on television time as his daughters who
11 are famous actresses and Frank would only like to earn
12 half as money as his daughters.

13 Frank Bowe is the individual who taught me how to
14 wear hats, not because Frank wears a lot of different kinds
15 of hats on his head, but because he manages to maintain a lot
16 of different roles at any given time. Presently, he is the
17 retiring Chairman of the Commission on the Education of the
18 Deaf, he is retiring because the Commission's last day is
19 today, I believe.

20 And he is also the Commissioner of the Rehabilitation
21 Service Administration, located in the regional office in
22 New York City and provided Sue doesn't hear him say anything
23 that is terribly outlandish, today, hopefully, he will be
24 in that position for sometime to come.

25 Without further ado, Mr. Frank Bowe.

1 MR. BOWE: Thank you, very much, Lex. I am very
2 happy to be here. There were comments made about my
3 daughters and it is true they are both Ford Modeling Agency
4 models and they do a lot of television commercials and you
5 have seen my daughters without knowing their names. They,
6 of course, inherited their beauty from their father.

7 It is also very true, I would be delighted if I
8 could earn half as much money as they are making. It is a
9 little bit discouraging for them. They like to model. For
10 example, my children in kindergarten were making as much, if
11 not more than I was making, with a Ph.D. and another doctorate
12 and about 20 years experience and it just raises the question
13 of why, why bother, I mean? They were doing just fine without
14 going to first grade. What is the big deal? I had to do a
15 little explaining here.

16 But I just want to say thank you and also I want
17 to thank the President's Committee. I think many of you who
18 have been here for as many years as I have, and you see from
19 all the gray hair on my head that I have spend more than about
20 ten years, coming to the President's Committee.

21 And I have noticed a very definite improvement in
22 the last two or three years and I think Jerry Rochlin is to
23 be thanked for bringing about this very renewed sense of vigor
24 that I think we have seen this week. And I think it would
25 be appropriate before we leave here to thank the President's

1 Committee for doing such a wonderful job, this week.

2 As Lex said, I am retiring, very happily. I am
3 planning on living off my daughters for a while. We just
4 finished the Commission of the Education of the Deaf and we
5 have published a report which is now available from the
6 Superintendent of Documents, here in Washington. You just
7 write to the Government Printing Office and tell them you
8 want a copy. It is a report called Toward Equality and
9 Toward Equality, this report was presented to the Congress,
10 on time and was very well received by all the interested
11 groups, in deafness and hearing impairment, which brought
12 good openers as usual. Usually, you don't get them talking
13 to each other very much, which is something I think we all
14 have experienced with.

15 People in a particular field have so many disagree-
16 ments with each other that they can't really get together.
17 And I am just delighted that with this report they have come
18 together and you will find that with almost everyone with
19 deafness and hearing loss would support most of what we have
20 recommended.

21 Nothing will happen unless people support the work
22 and work for the recommendation. We, ourselves are done. I
23 shut down the Commission Office on Wednesday, May 4, so we
24 are not of assistance anymore. And we cannot work for the
25 recommendation. You will have to be dependent upon the people

1 who are interested in them to work for them.

2 I want to point out one thing that might be of some
3 interest to you from the broader impact of the recommendation.
4 First, I think in the area of education. We set up the--
5 with 94 and 42, for about 13 years and that law has been
6 very helpful providing access to education. We are concerned,
7 however, that it does not provide enough incentive to the
8 states, to prove our equality in education.

9 We are concerned that the National Movement brought
10 excellence in education that we refer to the report of
11 Nation at Risk, had not included in any of the 50 states,
12 legislation to upgrade the excellence of special education.
13 Special education has been ignored by that movement in the
14 states. We think that it is high time that that stop and
15 that we start talking about providing excellence to deaf
16 children and others with disabilities.

17 We also talked about the technology and we feel
18 very strongly about the work that Senator Harkin has done
19 with his book that will be the subject of discussion later
20 this month, at the May 19th and 20th Hearing, it is very
21 hard for that Commission and we endorse their work.

22 We believe that the Institute of Technology can
23 do what the disability of salt prevents. One example here is
24 speech. And there are machines that I can buy for about \$100
25 and some odd dollars that talk better than I do. There are

1 machines that can hear for you and print out what they hear,
2 while they are hearing it. For people who are deaf, that
3 would be tremendous advance. And this kind of assistant
4 technology is here. It is available. Some of it is
5 expensive, but the tragedy would be that the solutions
6 are right there and we do not have the mechanisms or the
7 programs or the systems to get them in the hands of the
8 people whose lives would be forever changed by them.

9 So we very strongly make recommendations that it is
10 time now to look up this technology. We also talked about
11 equality opportunity. We had some very strong feelings about
12 implementation of Civil Rights people who were deaf.

13 We had to -- one was we found that people with
14 disabilities, including deafness, had Civil Rights and
15 Affirmative Action and Equal Opportunities that were second
16 class, compared to women and minority group members. We
17 thought if Affirmative Action was good for society, it should
18 be equally as available to people who were vulnerable in
19 our society and there should not be levels or classes of
20 protection of assistance. It should be equally available to
21 people who need this and that is not true today.

22 So without actually saying, we were very much in
23 support of the fact we were behind the American Disabilities
24 Act, which was introduced after we had already completed
25 the bulk of our work and submitted our report.

1 Our second concern on Civil Rights was a conflict
2 that we saw in the SSI area, Supplemental Security Income
3 would often be provided to the family of a deaf child, as
4 young as 14 and the family would discover that they were
5 receiving checks from the government because the child is
6 deaf. When the time comes to start helping that child to
7 learn to work, we find a lot of families very resistant
8 because they don't want to lose the checks.

9 We have the United States government actually
10 providing incentives to families to prevent their children
11 from learning how to work and from going to work and we
12 thought that was very strange. We want to stop that kind of
13 thing, so we set this whole area of SSI into study to find
14 some way we could remove these obstacles.

15 When I started out as the Chairman of the Commission,
16 the work that we did, we did it on time and we did it on
17 budget and we did it in such a way that it has been embraced
18 by a widely diverse audience and people in the field. It
19 could not have been done without the people that we have.
20 And I want to thank them because their work is now complete
21 and they are free at last of my many demands.

22 One of them is in the audience and her name is
23 Pat Johansen, who was my Staff Director. Pat will you raise
24 your hand? Thank you. And also the Department of Justice
25 provided to us an incredibly outstanding leader in Bob Mather,

1 who is our Staff Counselor and I want to thank the Department
2 for making him available to us because he was just great.

3 I want to thank Lex, also, and back in the days
4 when there was one piece of paper, Lex said, "There shall
5 be a Commission on the Education of the Deaf and that I
6 would be Chairing and there was nothing else. There was
7 no money, there was no staff, there was no office, there
8 was no equipment and I was looking at a piece of paper and
9 I was supposed to make this happen, somehow.

10 And I went to Lex Frieden and I want to thank
11 Lex, because he said, "One, you have to have a place to work
12 and you have to have a typewriter and for a fee, I will
13 provide them for you." Actually Lex made them available.
14 We worked out of his office for about a month, I think,
15 until we had our own office and I want to thank Lex.

16 This town is losing a tremendous leader, but I
17 think Houston is gaining one and I know you are not going
18 to disappear from the national scene.

19 So, thank you, very much.

20 CHAIRMAN FRIEDEN: At this point, I think we have
21 the opportunity to challenge one another on the Panel and
22 I will take the first round at that. Clarence said in his
23 comments that perhaps it is about time that the U.S. Congress
24 begin to live by their dictates that they place on others
25 and I am happy to report that at a press conference one week

1 ago where Senator Weicker and others announced the Americans
2 with Disabilities Act, the Senator said that he liked when
3 he introduced legislation to hang on to a surprise. The
4 fact that he introduced the legislation was somewhat of a
5 surprise to begin with, some of us were not terribly
6 surprised by that act, however, he said that he would, as the
7 first order of business, would introduce an amendment to
8 the proposal that would make the U.S. Congress subject to all
9 the provisions in the Americans with Disabilities Act.

10 And I wonder, Clarence, if you think the Congress
11 will actually pass an amendment like that?

12 MR. THOMAS: Well, Lex, I think if I said that
13 they would, would be a triumph of hope over experience. It
14 doesn't apply in any other area, so just looking at the
15 odds, I don't really think so, but I think it is important
16 that that point continue to be made.

17 Another point that goes beyond that is that when
18 we talk about accessibility it is incredible to me and I have
19 said this in some of the Executive Committee Meetings that
20 we talk about accessibility for the private sector, we talk
21 about a lot of creative things and yet, our own government
22 which centrally leases and builds buildings doesn't comply
23 with the accessibility requirements.

24 I had the experience of recently acquiring a new
25 headquarters building and we had to fight tooth and nail to
maintain a building that was accessible. It was stated that

1 well, " They", 'they', the Ubiquitous 'they', "can go in
2 around the back, near the garbage dump, there is a ramp back
3 there." And my attitude to that is that if 'they' have to
4 go in that way, 'we' all will go in that way. And that there
5 is no, I don't think any of us should allow that kind of
6 conduct to continue. I think there is no reason why a
7 major lessee of property in this area the Federal Govern-
8 ment should allow any lessor anything other than fully
9 accessible buildings.

10 I think that Congress, similarly, should not allow
11 itself to be housed in an inaccessible building. That is
12 easy. Those aren't ideas of broad brushing it, it is a very
13 simple thing, with the respect to all the legislation, I
14 think everything that we do in the area of Civil Rights,
15 everything that is good for the general public, everything
16 that is good for the private sector is good for every branch
17 of government and I think that should be enforced, as well as
18 our legislation.

19 MR. BOWE: If I could add to that, we in the
20 Commission, made some recommendations that Congress do what
21 it was requiring others to do and one of those recommendations
22 was on caption and moving stuff and C span and other Congress-
23 ional activities ought to be captioned. When I talked to
24 Senator Harkin about that, he said, "You know I might regret
25 that request, because I would finally find out what they

1 actually say on Capitol Hill, but also want some action
2 on that request." And also, when we testified in the Senate,
3 Senator Harkin, Senator Simon and several other senators,
4 stood up and signed to us and that was an example in favor
5 of taking some responsibility to be sensitive and in response,
6 I agreed to talk back to them.

7 CHAIRPERSON FRIEDEN: I think a number of my
8 hearing impaired friends would only appreciate it a little
9 more if they provided interpreters on a more responsive
10 basis in the Congress.

11 Bill, you had a comment you wanted to make.

12 MR. GALLAGHER: Picking up on what Clarence was
13 saying, I think sometimes we need legislation, we need
14 technology, but sometimes we spend a lot of time talking
15 about legislation, talking about technology and not talking
16 about people. And I think this is what we are all in the
17 business is offering services to people who do have a
18 disability. We do need the legislation, we need the technol-
19 ogy, but we also need to see if we, recognizing and believing
20 in what we do. I wonder how many of us believe in consumerism?
21 I wonder how many of us really believe that having members
22 of a minority group, whoever it may be, on our Board, making
23 decisions and I think that this is not only the legislation
24 but the commitment behind the legislation that we have to
25 live with.

1 CHAIRMAN FRIEDEN: Good point. Carolyn you
2 mentioned the employment rate and I guess the figures vary
3 on this, among people with disabilities around the country,
4 but are you aware of any significant kinds of things that
5 are being done in states or by the Federal Government to
6 employ a higher proportion of people with disability?

7 MS. GRAY: Well, we believe there are less. You
8 have hit, however, one of the really Achilles' heels,
9 developmental disability and that is one of the figures
10 everyone speaks about going to the Hill and we are all on
11 the platform and most of you out there have had this experi-
12 ence that you can look so long at a Congressman or woman and
13 say, "I believe."

14 They want to know the bottom line or what the
15 actual count is. Well, let me answer with what is happening.
16 With our new legislation, Public Law No. 146, we now have
17 a mandate to collect national data on just the question
18 you asked. First of all, how many people are we talking about
19 when we speak about the developmentally disabled, a coined
20 word from the Hill. People who before the age of 22 have
21 physical or mental impairments that would require life
22 long sustenance for mother and themselves, who are perhaps,
23 don't function in a way that self-care or mobility or
24 language or some other aid and help and abetment and we don't
25 know. We give out formula grants to the states and we think

1 we are basing them on X, but we aren't sure if it is X
2 So by January of 1990 I hope we are as timely and efficient,
3 Frank, as you have been. By that time, we will have conducted
4 a national survey through our councils, our developmental
5 councils, through our university affiliated programs,
6 through our advocacy, our lawyers group, to find out the
7 state of the art. Do I believe that we have many programs,
8 through rehabilitation services, through Health and Human
9 Services, through ourselves? Yes, I do. Can I say for a
10 sure certainly that this is happening? No, sir, I can't, but
11 by golly, we are going to lay the groundwork so that,
12 Clarence, we will be here in one way or another to make sure
13 we can carry through on the commitment.

14 CHAIRMAN FRIEDEN: The Independent Living Movement
15 has done a lot to promote people with disabilities to be
16 involved in positions, as Bill mentioned, Board Members and
17 organizations, decision making roles throughout their own
18 community and the government and there are probably more
19 people with disabilities involved in decision making
20 roles policy roles in federal and state and local governments
21 than there ever has been in the past and I would like
22 Sue Suter, who is one of the predominant disabled leaders
23 involved in decision making roles in any government, to
24 comment on her own view of the future of independent living
25 in terms of providing more leaders to take these kinds of

1 important roles.

2 MS. SUTER: I always enjoy talking about independ-
3 ent living, because I see what a difference it makes, not
4 only on the community level, but on the state level and
5 the federal level. And an example of that, when I first
6 became Director of the Rehabilitation Agency in Illinois,
7 it was my first experience, before a Senate Appropriation
8 Committee to defend our budget and try to get some money
9 for services.

10 And at the time, we had two federally funded
11 centers in Illinois and we were asking the Illinois General
12 Assembly for money for 9 more centers and I was a little
13 nervous about meeting before the Approp Committee and as it
14 so happened, we had an annual conference the same day in
15 Springfield, for Citizens with Disabilities in Illinois,
16 a Disability Rights Conference and some of our citizens
17 with disabilities got there a day earlier and they met with
18 their senators and they talked about their needs in their own
19 particular communities.

20 When I had to testify before the Approp Committee
21 the next day, those same people with disabilities were in the
22 audience. And the senators saw them in the audience and I
23 have to tell you, I think a lot of times, legislators, I
24 think, you can have maybe 25 people with disabilities in a
25 capitol and that sometimes is equivalent to about 100 or 200

1 people that don't have disabilities in terms of getting
2 legislators all worked up in knowing that we definitely had
3 a presence there. It helped a lot to have those constituents
4 in the audience because the senators, after the Approp
5 Committee were arguing over which of them would have centers
6 for independent living in their community and they were
7 fighting to get the centers because they knew their constit-
8 uents were in the audience.

9 I have seen people from centers from independent
10 living in the community, I have seen them get lifts on
11 buses. I have seen them get accessible housing. I have
12 seen them make a difference on the state level in our
13 services, holding us accountable and getting what they needed,
14 getting money out the general assembly to fund more centers
15 for independent living and I have seen it on the national
16 level, where people from the centers are advocating and one
17 of my concerns for centers for independent living is that, like
18 everything else, we sometimes tend to bureaucratise
19 things and if you are a senator from a local community and
20 you are receiving money from the state and the federal
21 government and philosophically, you need to keep independent
22 because you want to advocate and are you going to turn into
23 a provider and fill out of the forms and go through everything
24 you need to do?

25 Somebody is nodding. There is a fine line between

1 that bureaucratising the centers and turning them into
2 mini bureaucracies to meet our needs and keeping them inde-
3 pendent, so they can advocate on the community and the state
4 level and the federal level.

5 I look forward to a commitment to centers for
6 independent living, to fighting for resources, for centers
7 for independent living and I also look forward for the
8 philosophical debate about where senators are in the
9 system and what we need to do to carry on that philosophy.
10 And I think that is a debate that is happening and will
11 continue to happen.

12 CHAIRMAN FRIEDEN: Sue, you have raised some good
13 points and I will be glad to record the Commissioner, just
14 advocated, for tripling the budget, for an independent living
15 program, next year. I am sure my colleagues in the audience
16 will be happy to know they just missed something, as well.

17 You made reference to people with disability who
18 are politically active in their own communities and you made
19 reference to your experience in the state of Illinois, where
20 people with disabilities are politically active and politically
21 aware. You made reference to the fact that this is an
22 election year and this may be an opportunity for people with
23 disabilities to demonstrate a certain degree of collective
24 wisdom and a certain degree of political sophistication.

25 With your experience, you are working with groups

1 of people with disability, do you believe we are beginning
2 to acquire the kinds of skills and the kinds of political
3 sophistication that are necessary to influence decisions at
4 that level?

5 MR. THOMAS: Well, Lex, I think you read my mind,
6 for I was because I was just thinking of doing some little
7 discussions. One of the things that has helped me, I am not
8 going to tell anybody, I came into government or EEOC aware
9 of all these issues. That would be an outright lie. Nor
10 would I tell anyone that I know all of the nuances of these
11 issues. That equally, would be a lie.

12 What has been helpful to me is to have around me
13 good people who gave me specific things that we needed to
14 accomplish in a specific amount of time. So, we at DODs would
15 make a list of 10 things that we would have to do in one
16 year. They may range from minor things, like making a
17 bathroom accessible to hiring a lot of individuals with
18 targeted disabilities or purchasing equipment in order to
19 accommodate disabilities.

20 One was as simple as buying a TDD machine. That
21 was real simple. There was a real deal about it. I realized
22 there were only 300 bought, so that was a simple one. I would
23 urge people to be politically active. All of the decisions
24 aren't made on a political level, but a lot of them are. I
25 would urge anybody who gets involved to have specific things

1 in mind, not broad generalities. Some things can be accomp-
2 lished now. For example, I would go back to what I said
3 about these inaccessible buildings. There is absolutely
4 no reason why a building should be inaccessible in the
5 federal government or the state government, particularly the
6 new buildings. Some of them may have to be retro-fitted, but
7 a lot of them are being built right now and we certainly
8 couldn't look at leasing buildings that are not accessible.

9 We should also, things, like accommodations, the
10 computer age is with us. There are ways to change a computer
11 or make adjustments to it, so individuals with disabilities
12 can use the computers, individuals with sight impairment or
13 individuals with hearing impairments and those same pieces
14 of equipment can help individuals do their job even better, but
15 again, very specific things.

16 Specific time frames that these should be achievable
17 and should be measureable, not in broad generalities. Don't
18 make broad platitudes that you hope someday, somewhere or
19 somehow, we might be able to do something. Make it measureable
20 and make it specific.

21 MS. GRAY: I do have a follow-up, Clarence. You
22 talked about retro-fitting buildings and I mentioned awareness.
23 Let's retro-fit our communities, our minds and the people
24 we deal with, election year or not. For example, we have
25 for a number of years a Commissioners Forum for our

1 administration on developmental disabilities. The last
2 couple years, even I am new as Commissioner, we have been at
3 the same hotel in the same city. We were there about six
4 weeks ago and clearly understood, some of us had visible
5 disabilities and others like myself had hidden disabilities.

6 At the end of the Conference, we had the always
7 present limousine taking people back and forth to the airport
8 and I got an urgent call. We had three people who had leader
9 dogs and they were not about to allow the leader dogs on the
10 bus and my answer was, "Do they want to be paid?" Clearly
11 the hotel wanted to receive a check from the United States
12 goverment for their services. But clearly, we have to come
13 down to a point of view and that is why I raised awareness,
14 whether as Sue mentioned, it is transportaion or housing,
15 we have to find the bottom line of vulnerability. What does
16 that person hope to gain, an employer, someone who needs to
17 get transportaion, payment for services? We have got to go
18 in and show them that we together as a community, we as a
19 integrated private sector will see that that payment is met.

20 CHAIRMAN FRIEDEN: Bill, I realize that you are the
21 only one up here who isn't a government official.

22 MR. GALLAGHER: Thank God.

23 CHAIRMAN: I'll be there with you there in a few
24 weeks. I wondered and you are the only one that can safely
25 make a comment on it, although others of us would probably

stick our necks out here. I wonder if you think this is the year, finally, that we will have a presidential candidate that will run off a disability ticket, of sorts?

MR. GALLAGHER: I would hope they all would, but that is asking too much. I get a little skeptical during an election year where people will commit themselves because of getting more votes. What I like to see is the year or two after to see if they live up to their commitment, whatever the individual, whether state level or national as far the position is concerned.

Clarence, do you...

MR. THOMAS: Yes, Lex, the light's on. Evan mentioned last night, Evan Kemp his involvement in this whole process, I think as long as he is involved, particularly from our side of the aisle, is going to be very specific things. You have known Evan long enough to know that once he is on you, he is on you. He is like wet on water, but I am convinced, at least from this side, that that issue is going to be at the top of the agenda and there are going to be very specific things that are going to be done and I know about the election promises and that is why I urge in my previous comments that you ask for specifics, so when we come back next year, you see something that is measureable, but I am with Evan. There is going to be legislation that is covering the private sector. He may be a little ambitious in the first year

1 prediction, but it will be in the next term and it is very
2 important to get on board with that. These issues are going
3 to be relevant in the federal government, I mentioned about
4 hiring. Someone like Evan will be there. The budgetary
5 considerations that you mentioned are going to be there and
6 I think, I said last night that Evan's term goes to 1992.
7 And his commitment goes back over almost over a quarter of
8 a century.

9 So the point is, you have got people here who
10 are in place, to keep it moving and who will see

11 that it is on the agenda before the election and see
12 to it that it is implemented after the election and that
13 you should develop working relations with these people in
14 the government.

15 MR. GALLAGHER: Can I pick up a point? We have
16 been hearing this for years and if you sat in a meeting five
17 or ten years ago, the same discussion was coming up. I think
18 it is time we see some solid action, more than just some ...

19 MR. BOWES: Yes, I remember back in 1977, '78
20 during the period leading up to the 1980 election, we had
21 some discussion between some leaders who had disabilities and
22 the leaders of the elderly group. It got all of us excited
23 because the older people, so many of them shared the same
24 concerns. -- political clout, but at that time, we didn't
25 go anywhere with it. And I think the concern at that time

1 with people with disabilities were saying, "I am not old.
2 I am very different from those people. I will retire and I
3 will stay home and people who are old will resist being
4 called disabled." We did have that split that the
5 political cohesion now comes together. However, I know
6 the National Council on the Aging Meeting here in Washington
7 and they invited him to come and speak, which was a difference.
8 The National Council on the Aging was a big aging group.
9 They asked Lex to speak about the lessons that could be learned
10 from the independent living movement and maybe that was
11 something that was signaling a beginning, but all I noticed
12 that the Harris Polling recently did two studies that was
13 important. First they did a study of people with disabilities.

14 And found, to my amazement that a majority of
15 people with disabilities, identify themselves as people
16 who will vote based on a candidate's record on disabilities
17 issues. They didn't have to be honest with you in '77, '78.
18 when I was trying to stir this up, you were not there, but it
19 seems that many people with disabilities have concluded that
20 where a candidate stands on disability issues is something
21 they are going to vote on.

22 The second most recent Harris Poll, this one on
23 voting, itself. And again we are finding very strongly people
24 with disabilities are planning to vote based on the candidate's
25 record. So it seems that we are not shy and we are not

1 hiding anymore. People with disabilities are beginning
2 to come out and say I am disabled and what are you going to
3 do about it?

4 MR. THOMAS: Well, I think, to respond to Bill's
5 point about promises. Sure, I am not going to tell you that
6 there hasn't been a lot of promises. What I am trying to
7 say to you, if you let people get away with these broad
8 platitudes, then you have allowed the process to work against
9 you. Anybody can tell you anything. They can tell you any-
10 thing and that is the way campaigns go.

11 The things that are important to me are the specific
12 measureable things. What are you going to do within the
13 next year or the next four years, the next five year, so that
14 when you come back to a conference like this and you can
15 ask that person who promised you or that person's represent-
16 ative, "Did you do what you said you were going to do last
17 year." No more platitudes.

18 I think there have been some gains and I am certain
19 not enough, but the mere fact, well I think the compliment is
20 to the President's Committee on reactivating the things on
21 the Committee's activities, things that have happened in the
22 President's meeting, in fact, for the first time, I know at
23 our own commission, we have got the first member of the
24 disability on the commission. It was not a top priority. It
25 was as simple as that. You have got to be there to make the

1 arguments to for it to be a top priority so that is moving
2 and I think for the first continuous involvement of people,
3 like Evan Kemp in the political at a high level, a very high
4 level, can only be beneficial to the goals that you set.

5 So I think there is reason to be frustrated, but
6 I think equally the reason to be persistent and hopeful.

7 CHAIRMAN FRIEDEN: Set up a hypothetical situation,
8 Clarence, -- on how to use my campaign money. And let assume
9 that I am and I make the commitment a very straight forward
10 commitment, as you suggested needs to be made and I will
11 cut the unemployment rate among people with disabilities
12 from 66% down to 50% and I wonder, Sue, if you think it is
13 possible with the resources that we have? And the direction
14 that we have now to actually meet that kind of a promise?

15 MS.SUTER: I think that, absolutely, when we talk
16 about a 66% unemployment rate among people with disabilities,
17 which is the highest among any minority group, in terms of
18 unemployment, I think it absolutely has to be cut.

19 I would like to think that we could cut that. I
20 know in Illinois we had talked about a figure and what is a
21 realistic figure that we could shoot for to cut to. I would
22 certainly think and hope that we could cut it to a 50% and
23 what Carolyn mentioned when we were in Connecticut,
24 Connecticut has I think 2 to 3% unemployment rate and we were
25 there and we were seeing people with severe disability

1 in competitive employment in the community. I absolutely
2 believe that can happen with the support system. I think
3 we have to get out to the employers. I think we have to
4 change attitudes among employers.

5 I think this committee has done a terrific job
6 to do that. I think states are looking at marketing approaches
7 to do that. I think states are hiring marketing specialists
8 to work with companies and businesses to get our foot in the
9 door to do that. I think we have to change our general
10 attitude.

11 There are disincentives in the federal program,
12 disincentives to work that we have to take a look at. Well,
13 we have looked at it to death, we have studied those to death.
14 We have to make changes in those and I think there are a
15 number of things we need to look at, but we absolutely need
16 to get that number down. Some mentioned Jan Tech, technology,
17 I think those are all things that we can show we can help
18 educate an employer to hire people with disabilities.

19 MS. GRAY: Continuing on Sue's comments, what we are
20 hearing and what you are hearing from those of us on the
21 platform, is the fact that what we need is the common ground.
22 Let's not divide ourselves in the minutiae of you only want
23 to have something. Sue is from Illinois. I am next door
24 from Indiana and we have to find the three or four major issues
25 on common ground, whether it is the disincentives that come

1 from the SSDI or the Medicaid or the other program, whether
2 it is something that Weicker has shown you you need, the
3 common grounds in the political area where there is the
4 grass roots level here in Washington and proceed on that
5 later?

6 Once victorious, you can all march out to the
7 banners, but I do really urge you on some common issues.

8 CHAIRMAN FRIEDMAN: I think that Carolyn is
9 charging us is that we do have the clout, but are we
10 using it? And I think this is one of the big issues and I
11 think what Carolyn is saying that if we all work together
12 the clout is there. We may not be using it.

13 The other thing I would like to touch upon, the
14 uneasiness we hear about a state having only 2% unemployment
15 so then it is maybe time to hire the person with the
16 disability. This happened during the Second World War.
17 Clarence wasn't born then. During the Second World War that
18 many blind persons and disabled persons that went into
19 war factories and into plants, but when the war was over,
20 they were the first to be let go and I think it is much more
21 important if that employer is hiring the individual for the
22 job and not necessarily because he or she has a disability.

23 MR. BOWE: I would like to add something here
24 and I know we are going to involve the audience very soon and
25 this is one question I would really have them respond to, but

1 it is a concern that I think is concerning many of us up
2 here, and that is that the history of the Disabilities Rights
3 Movement and the Disabilities in generally, including
4 special education and rehabilitation is one in which the
5 individuals and the organizations seem to care much more
6 deeply about what touches only them and no one else.

7 As an example, the Confederation of the Blind,
8 does seem to care more where they sit on the air plane than
9 they do for example about the Americans Disability Act,
10 with people with disabilities other than blindness. I have
11 seen it so often that when you really start to care and fight
12 and you are going to vote on something, too many of us
13 seem to do that with only a narrow special interest. We do
14 not seem to share the same type of commitment or the ability
15 to stay broader and care about things that affect all of
16 us in this room, and until that change, we are not going to
17 get it, disability being the issue.

18 On the president campaign and we are not going to
19 get the -- that we want in here and I would like to know if
20 this field is ready to be mature enough to care enough about
21 people with different disabilities?

22 CHAIRMAN FREIDEN: We do have the the data from
23 the Harris Poll which would substantiate and concern the
24 people in the audience, that more than 70% of people with
25 disabilities, randomly surveyed believes there needs to be

1 stronger Civil Rights protection and most of those people
2 will do what they have to do, going to the polls advocating
3 for the elections of the politicians who want to follow
4 through. We have some hopeful signs.

5 Frank, given your experience with ACCD and getting
6 504 Regulation, and so on, what kind of an organization would
7 it take not to insure that we get this kind of Civil Rights
8 legislation passed?

9 MR. BOWE: My experience tells me that it is broader
10 than that. More likely you ought to catch some fish. One
11 thing you need think about is the Americans Disability Act,
12 the piece of legislation that affects people with disabilities.
13 Did you have to step back and say to yourself, who could
14 benefit by passage? And the obvious place to begin is
15 people who clearly have disability.

16 Second, however, when there is a family and anyone
17 who has someone with a disability in the family, is very
18 conscious of the effect of that disability on the family, on
19 its economics, on its mental health and on its happiness.
20 But then you also have that tremendous groups who do not
21 now, yet have a disability yet, but will soon.

22 You have Union members who have an investment into
23 the retirement of the kind of programs you have chosen, who
24 have a commitment to these areas and I could tell you that,
25 do you realize that women minority groups members have been

1 mature enough to recognize that when someone's rights is
2 jeopardized, everyone's rights are jeopardized. When you
3 begin thinking this way you begin to identify alliances and
4 you begin to realize that this is not narrow, this is not
5 something that we will control ourselves and be a big fish
6 in a small pond.

7 Rather this is something that would effect many a
8 pond and should involve many people in. What kind of an
9 organization would do that? I know that
10 there are some special interest groups to try to create
11 -- and I know that Dave Williams, here, from Ohio is one of
12 the people trying to do that, but I think it is going to have
13 to be broader than that.

14 I think it is going to have to involve the leaders
15 of Civil Rights, which is an extremely powerful organization
16 for Civil Rights here in Washington. It is going to have
17 to involve the elderly and it is going to have to involve
18 the church groups and I think until we get that kind of thing
19 going we could never be totally sure, we would always have to
20 look back. It is something like Grove City, it is not gaining
21 on us.

22 CHAIRMAN FRIEDEN: Thanks, Frank. Clarence do you
23 want to comment on the Coalition Bill that Frank made
24 reference to?

25 MR. THOMAS: Well, one of the organizations he

1 mentioned is in an inaccessible building, No.1. So I don't
2 know how you are going to join it. I think it was a point
3 that Sue made is just very important and reflect back to and
4 that is when she went to the senate, in Illinois. The pres-
5 ence of individuals with disability had an impact.

6 Now, I went last weekend, I believe it was last
7 weekend or the week before last to Fairfax County Republican
8 convention, which is open to everybody. There were 1100
9 people there and I don't remember seeing one person, at
10 least with a visible disability. I didn't see one person
11 with a sight impairment or a mobility impairment of any
12 sort.

13 Okay? That involves all of Fairfax County. Now,
14 the other thing, at the national level, you can talk
15 national all you want. We don't live national. You live
16 locally and you have more impact on the City Hall, your
17 City Councils, your state and local governments than you have
18 on this national monster that we have here. This thing is
19 incredibly huge and I think that something even there we need
20 to understand something.

21 A piece of legislation, a disability act will be
22 passed. It will be nice and broad and everybody will hold
23 up their hands and say that they have done something nice and
24 then they will go home and leave it to us to write regs.

25 We will write the regulations. They will put us in

1 small subcommittees and they will beat hell out of us if
2 we don't write it the right way. You will come in and you
3 will testify against my successor and say that it wasn't done
4 right. Okay? They will bludgeon us into doing it right.
5 Okay, or at least the way the subcommittee wants it and
6 then after that show and we have all been disgraced and the
7 cameras are turned off. We will go, we will drag into
8 the subcommittee on appropriations for the money for what
9 you said do.

10 You won't be there. The oversight committee won't
11 be there, the cameras won't be there. It is a small room
12 over in the Capitol, okay? And we will not get the money
13 for what you said that needed to be done. Now that is reality.
14 So when you talk about political clout, my attitude is very
15 simple. Clout to do what? The clout, where and when can you
16 expect it to be done? And there are some very realistic
17 things that you have to deal with, beyond coalition building,
18 beyond platitudes and I think beyond just saying that we are
19 now organized and we have the clout and we have the power.

20 MR. GALLAGHER: Being the member of the minority
21 group on this Panel, coming from private agency, I think
22 the non-profit organizations find it easy as a target to go
23 after the politician, to go after the people that work for
24 the federal government, but I also find that we have a strong
25 responsibility as we try to educate the general public about

1 the disability and what I get concerned about, especially,
2 in the field of blindness, because that is where I am working,
3 that many times we may raise a lot of money for the agency
4 but hurt the image of blindness, or the image of the
5 disability and I think we non-profit, non-charitable organ-
6 ization, must be very careful we don't bring money in to
7 build up the endowment and to hurt the person with the disabili-
8 ty and I think this is something that we must watch at all
9 time.

10 CHAIRMAN FRIEDEN: At this time, I am told to
11 involve the audience in some of the discussion and I know
12 some of you are just waiting with baited breath to challenge
13 some of our Panelists here.

14 What I would like to do is begin this discussion
15 by following up on a question that was raised earlier here
16 and one of the comments that was made. Dr. Bowe suggested
17 in order for people with disabilities to have clout in the
18 political arena, we needed to coalesce. We needed to go
19 beyond some of our own individual -- and he mentioned a number
20 of routes that would be logical supporters of disability
21 rights legislation.

22 One group which he did not mention in his list was
23 employers and I would like Jay Rochlin, President's Committee
24 on the Employment of the Handicapped to comment and perhaps
25 share with us the future of involvement of employers of people

1 with disability and thinking more affirmative disability
2 rights.

3 Jerry?

4 MR. ROCHLIN: Thank you Lex. Lex, let me put my
5 old hat back on, as a member of the employer community. I
6 think one of the significant things, relative to an employers'
7 attitudes came out in the Harris Poll survey of employers.
8 In that survey, it indicated an expression on the part of
9 employers that they would support Civil Rights for people
10 with disabilities or increased independence and support
11 Civil Rights with people with disability. I think there is
12 a lot of support in the area of the community.

13 But, let me express one concern that I have that
14 I really think is an outrageous situation, this nation, at
15 this particular point in history and that is the fact that
16 almost any employer in this country today, can look at a
17 person with a disability and say, "I am not going to hire you
18 because you have a disability ", and not be in violation of
19 the federal law. Employers who are prevented from doing that
20 are contractors of the Federal Government or recipient of
21 funds from the Federal Government and that in terms of the
22 total number of employers is very, very small number and I
23 think at this point in our society, our history, it is
24 outrageous that such things can exist. --

25 The only thing that prevents employers from doing

1 that is the fact that 40 odd states have laws that prevent
2 that, but those state laws range from excellent, good and fair
3 and in enforcement, ranges the same way. I think we need a
4 law at the Federal level that, in fact, says that it is
5 against the law to discriminate anybody with a disability.
6 I don't advocate that we go around and club people over the
7 head with the law because I think there are other ways
8 that people will work to meet their responsibility, but I
9 think having a law sets the tone for us as a society. It is
10 our nation, it is our society saying that we will no longer
11 accept such kind of behavior. It is our goal as a nation and
12 a society to provide equal opportunity. And I think the
13 law is required for that.

14 There is strong and growing support within the
15 community. Wednesday, at the opening session and again
16 last night, you saw four employers who had made very, very
17 strong commitments to employing people with disabilities,
18 IBM, Marriott, New England Telephone and even small Dennison
19 Manufacturing Company. There are lots and lots of others,
20 large and small across the country that are willing to do that.

21 To me the most exciting thing in the employer
22 community are looking at the people with disabilities because
23 they need them, because they have a place for them.

24 And I will close with by sharing one little story
25 that I think demonstrates this. You all know, I am sure,

1 that McDonald's Corporation has done a great deal in
2 employing people with disabilities. They have a program,
3 I love the name, McJobs Program. They train people with
4 disabilities and train them in their shops. Two or three
5 years ago I visited McDonald's and talked with their
6 president and I thanked him for starting the McJobs Program.

7 He looked at me and smiled and he said, "I thank
8 you for your compliment, but I have got to tell you, if it
9 wasn't good for us, we wouldn't be doing it." I also respect
10 him for his frankness, but also implied in his remark was the
11 recognition that McDonald's now understand that people with
12 disabilities can be good for their business.

13 That to me is the way we want employers to hire
14 people with disabilities because they recognize their abil-
15 ities, they recognize they are good for business and they
16 will make a contribution to the bottom line of that business.

17 Thank you, Lex.

18 CHAIRMAN FRIEDEN: I would like to challenge you
19 in the audience to keep Bill Gallagher awake. It was late
20 very late last night when I got in from another engagement
21 and it is going to be a challenge to keep everyone here
22 stimulated for the next few minutes.

23 So what I would like to do, if there are any
24 questions from the audience they would like to direct to
25 one or more members of the Panel. And I think the one back

1 here had his hand up a minute ago. Sir?

2 (Question did not come through)

3 MR. THOMAS: I would assume that you don't have
4 new right judges in the legislature. There are 535, but the
5 point that, first of all, what we have done, I rest on the
6 Record at EEOC. And you can review that if you want to.
7 The second thing is that what I have urged you and what
8 Evan Kemp has urged you, that in the legislation, let the
9 legislation say what you intend to say.

10 The tendency on the Hill is to let major gaps in
11 legislation, do not define things, to broad brush it and
12 then to allow the agencies and the Courts to go in and read
13 language into the legislation. That is all nice and cute and
14 it serves political purpose. The problem is that what can
15 be read in, can also be read out. So write the legislation
16 to say what you want it to say.

17 The judges that you are concerned about won't
18 be a problem. In fact, no judges will be a problem, in fact,
19 the Supreme Court has reached a decision and I have advocated
20 it, since it went to the commission to be solved. It is
21 ironic to me that we would be saying that a statute that is
22 over a hundred years old is stronger than the employment
23 statute that was passed less than 25 years ago. And we have
24 a legislature that meets year round that can't pass a statute
25 that is stronger than a statute that was passed in 1866.

1 QUESTION: I direct my question to Dr. Bowe.

2 Some legislation is still a major obstacle in our
3 area. There is only one school for the disabled and 22 school
4 districts in western New York. As we attempted to add one
5 disabled student in the third grade, in the main stream,
6 I represented the parents before an impartial hearing. The
7 Board of Education quoted you, Dr. Bowe for saying that you
8 had testified before Congress a few weeks ago and that we
9 need not be concerned with restrictive environment. I know
10 that was taken out of context.

11 We were successful in making one more school
12 accessible. Would you comment on your testimony?

13 MR. BOWES: Okay, thank you. I think Lex made
14 reference earlier to a lot of publicity, accompanying our
15 testimony. In some newspaper, I think, upstate New York,
16 was one of the areas, for sure. We were on the front page of
17 many newspapers.

18 And the issues that I was talking about was fairly
19 technical and fairly subtle and I think the newspaper got it
20 messed up tremendously. I was quoted as saying things that
21 I never said. What we said in the commission and I would be
22 very happy to clarify it with anyone who wished to ask me.
23 We said that what matters is appropriate. We said the law
24 calls for free appropriate public education. We said it had
25 to be good. Where it took place was not the major issue. The

1 major issue was the quality of the education that was
2 provided from main from seven, we would be perfectly satis-
3 fied. If it could be provided in a special school, we would
4 be satisfied. We were trying to emphasis that this is a
5 different environment is important, we did not say it was un-
6 important. We said that appropriate was more important and
7 if you look up the law, it is very clear.

8 So I want to say, once and for all, that what I was
9 quoted as saying, the particular environment is not important,
10 That is wrong. I did not say that.

11 QUESTION: I have just a quick comment.

12 I sadly disagree, in our area, where we have a
13 segregated setting in for all physically disabled students, they
14 receive less than a ninth grade education, although they
15 graduate with a full diploma. I suggest that the limited
16 expectations of the teachers in that setting, even though
17 many parents deem the setting is appropriate. It is not
18 going to give off qualified individuals, who will fill the
19 blank slots in our area. So I suggest that somewhere down the
20 line, we start -- and start putting our foot in the doors,
21 in school buildings that are accessible.

22 MR. BOWES: May I comment on that, Lex?

23 I hope you will read the report because in many of
24 the communities we find just the opposite. We find schools,
25 for example, placing a deaf child into a class room and

1 saying we have met our obligation. The kid doesn't
2 read braille, doesn't need an interpreter, doesn't need a
3 note taker, doesn't need a tutor. We have done our job. That
4 is just as much concern to us as the situation you are
5 describing.

6 QUESTION: (Did not come through)

7 MS. GRAY: Thank you, we agree. This by the way
8 is for the developmentally disabled so it is prescriptive
9 to that definition, but we certainly have joined with Labor
10 on a continual basis to see that the census, whether it is a
11 1040 or something else comes up with whatever we have in the
12 Health statistics. We do agree with you and maybe that is
13 one issue, Lex, around which we all could coalesce.

14 CHAIRMAN FRIEDEN: Frank, would you like to add to
15 that?

16 MR. BOWE: Fighting with the Congress and the
17 Census Bureau for more than 10 years now. What they have
18 been doing since 1970 is counting noses of how many people
19 have a disability. And they never ask the next question, what
20 kind is that? Tell us something about it, is it a birth, or
21 a hearing one or a seeing one and just last year we were
22 informed again in 1990 that question will not be asked. I
23 think it is a simple enough question, it is obvious question
24 and if it is asked, for example in the 1990 census, we would
25 learn so much about people with disabilities. that would be

1 a fantastic advance. So I want to side with both of you on
2 that.

3 QUESTION:....We are not performing to the liking of
4 the Social Security Administration. We should consider
5 contracting with agencies beyond the states' system for
6 services. How do you feel about that? And secondly, is our
7 assay going to be developing outcome measures, performance
8 indicators for the states' ER agencies so that we see how
9 they are doing state by state, in terms of outcome, the real
10 mission of our assay?

11 MS. SUTER: Thank you, John, I have the pleasure of
12 serving on the Disability Advisory Committee. When we
13 came up with those recommendations, one of the concerns
14 of the Committee was that there were not enough referrals
15 made within the state to the VR system for individuals w
16 who are on Social Security and that we needed to do more in
17 the state between those two programs to work closely and
18 get people on SSI and SSDI back to work.

19 In our essay we are looking at that report so that
20 we can follow up and work with the states and get the numbers
21 up in terms of serving people with disabilities and who are
22 on the roles. One of the issues and it always gets back to
23 that is a resource issue. Another issue in the VR Agencies
24 has been a change in how we serve those individuals from 1981

25 So within our essay we are going to follow up

1 on the recommendations and work with the states to look
2 at ways on how to increase their numbers.

3 CHAIRMAN FRIEDEN: The gentleman in the back, here.

4 QUESTION: ...I serve on the Executive Board of the
5 Governor's Committee, on Concerns of the Handicapped, in the
6 state of New Mexico. One of my special experts with the
7 governor's committee is the legislation. I follow through
8 with the specific local legislation and also the city and
9 also the state and with this I became interested back in
10 November of 1987--that I probably opposed and I would like
11 to bring it to the attention of the Panel. -- now we are
12 concerned with the legislation toward the disability that
13 is present and we are concerned about the legislation about
14 the genetic disability or the disability that occurs because
15 of a faulty machine. I am a victim, Ladies and Gentlemen of a
16 faulty machine. I lost both hands in 1975, but at that time
17 I had an avenue of recourse, House Bill 1115, if it becomes
18 law would have prevented me from recovering even one cent
19 through our justice system. Now I have stood against this
20 Bill, in opposition of it and I will continue to do so House
21 Bill 1115 will begin on May 10. I have spoken New Mexico,
22 in a local area and now I wish to bring it to the attention
23 I do have a petition that I have with me. I would appreciate
24 signatures, so I can present this to my Congressman and I
25 want to thank you, Mr. Moderator, for allowing me this time,

1 to express not only legislation that deals with present
2 disabilities.

3 Now statistics show that disabled people across
4 the nation are below poverty level to begin with. Now, let's
5 not add to the poverty, by denying the Constitutional
6 right of every American of the United States of filing
7 a lawsuits against manufacturers of --

8 I thank you, I will be in the lobby after this and
9 if there any questions, if the people would like to sign
10 my petition this afternoon, I would appreciate it.

11 Thank you.

12 CHAIRMAN FRIEDEN: Thank you, Vince.

13 We have another question over here on the side.

14 QUESTION:(Did not come through)

15 MR. BOWES: I will be as brief as I can. This
16 organization called OUT, the Organization for the use of the
17 Telephone, Owings Mills, Maryland I would suggest that you
18 call them for exact details.

19 CHAIRMAN FRIEDEN: I have time for one more
20 question. Right down here in the front.

21 QUESTION: I am --Jurnigan, from--Florida. I
22 represent the Florida Council. I lobby also for legislation.
23 My concern is that I haven't yet been able to identify or
24 at least have in hand a copy of what I think we need, some
25 body did some work on, the National Plan. If you have it

1 in your major disability groups, you know what they are
2 and you know the direction you need to go in if you have this
3 data from the agency, but as far as covering the broad
4 spectrum of the disabled group or some of the smaller ones,
5 which represents disabilities that are not funded to the level
6 that it might be needed . The whole gamut of the United
7 States that we represent-- I would like to know if there is
8 anyone any agency or comprehensive national plan dealing
9 with educational transportation, accessibility, housing and
10 others.

11 MR. BOWES: Just like you said one of the
12 contributions of Lex Frieden, he left -- on the national
13 scene and the National Council Handicapped, they put out
14 a plan like you are talking about, called Toward Independence.
15 And it updating it every year called On the Threshold of
16 Independence. I suggest that you call International Council
17 on the Handicapped, right here in Washington, to get the
18 report. I think it would save you a good plan of action that
19 would take you a good five-years to reach.

20 CHAIRMAN FRIEDEN: I would mention that Mr. Jurnigan
21 was a member of Florida Advocates who hosted the National
22 Council on the Handicapped at a recent meeting in Miami and
23 were kind enough to bring together advocates from the state
24 to advise the council and if I was listening carefully, the
25 question related to more than just a few general accommodations

1 but to a specific plan of action of how we can all get to-
2 gether and work together where we go, the steps we take in
3 order to reach the broad scale objectives laid out in
4 Toward Independence. Congressman Major Owens is one who has
5 recently recognized the need to take the planning one step
6 further and is in the process of appointing an advisor
7 group to advise his committee and the Congress in developing
8 a plan and Justin Dart, our colleague to Chair that particular
9 taskforce. So I would encourage all of you who are interested
10 in developing more details step by step, plan a strategy for
11 working together, to secure rights for people with disabilities
12 to secure services for people with disabilities and to
13 secure the kinds of resources that are necessary to support
14 those rights and services, to be in contact with Congressman
15 Owens and Justin Dart, who will be working together with
16 this process. Further, I think it is appropriate that
17 Mr. Jurnigan from Florida be the last person we have to
18 submit a question to the Panel today because we remind you
19 that our next meeting will be in Florida and our Florida hosts
20 are congenial in every respect and perhaps that will give us
21 the opportunity to begin to put real teeth into our effort to
22 coalesce and to secure our rights and to secure equal oppor-
23 tunity for all people with disabilities.

24 In closing, I would like to invite the Panel Members
25 to make any final comments they have and then we will move on

1 to next year.

2 MS. SUTER: I just have a comment. I think that is
3 good point, Be new to federal government. Carolyn and I
4 have talked about this. There are over 40 agencies that
5 deal with people with disabilities and we have different
6 outcomes, as John pointed out and different goals. We need
7 to get our act together and simplify that. That is something
8 I want to work on.

9 The other thing I would leave with you when we
10 talked about independent living for people with disabilities
11 can make a difference on the community level and the state
12 level and the federal level. Coalesce, get involved and
13 become a political force.

14 MR. THOMAS: I would like to thank this group for
15 the hospitality and the curtesies that are extended me over
16 six years and also to thank them for some very modest
17 successes that we have had and looking to the future, I
18 think, as far as I am concerned, and as far as a lot of people
19 are concerned, politics of inclusion are the politics of the
20 future, thank you.

21 MS. GRAY: Talking about awareness. We opened, let
22 me bring you from the Health and Human Services, as you well
23 know, the issues today is AIDS. Please, understand as you
24 get your mailors this month, they are going out, for the first
25 time in the history 107 mailors on AIDS. This is a disability

1 that within 24 to 36 months, 20,000 children with AIDS
2 will be appearing, or at least with the immuno deficiency
3 virus, 78% to 93%, 10 to 20 thousand are going to
4 be developmentally disabled. They will be in our community.
5 Please, help us, as we look at a new awareness.

6 MR. GALLAGHER: Sue mentioned independent living
7 and I think the only way I am going to be independent is to
8 adopt Frank's children.

9 MR. BOWE: I think after that statement I am not
10 staying to make a closing of mine.

11 CHAIRMAN FRIEDEN: On behalf of all members on
12 the Panel and on behalf of the President's Committee on the
13 Employment of the Handicapped, I would like to thank all
14 of you for being here today and for participating and for
15 taking part in the Meeting.

16 Have a good day.

17
18 (Whereupon, at 11:36 a.m., the Meeting was concluded.)
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REPORTER'S CERTIFICATE

This is to certify that the attached proceedings
before U.S. DOL

in the matter of: ANNUAL MEETING OF THE PRESIDENT'S
COMMITTEE ON EMPLOYMENT OF THE HANDICAPPED

were held as herein appears and that this is the original
transcript thereof for the file of the Department
or Commission.


Official Reporter

DATE: MAY 16, 1988