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Collection/Record Group: Clinton Presidential Records

Subgroup/Office of Origin: Cabinet Affairs

Series/Staff Member: Jennifer O'Connor

Subseries:

OA/ID Number: 4965

FolderID:

Folder Title:
Americans with Disabilities Act

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Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. list	EEOC ADA Staff to be Invited to the ADA Celebration; RE: Personally Identifiable Information [partial] (1 page)	07/25/1994	b(6)
002. memo	Jennifer O'Connor to Robin Dickey; RE: Personally Identifiable Information [partial] (1 page)	07/26/1994	b(6)
003. form	Memorandum of Call; RE: Personally Identifiable Information [partial] (1 page)	00/00/0000	b(6)
004. memo	Paul Steven Miller to Jennifer O'Connor; RE: Personally Identifiable Information [partial] (1 page)	07/25/1994	b(6)
005. list	List for White House Celebration of the Americans with Disabilities Act; RE: Personally Identifiable Information [partial] (1 page)	07/27/1994	b(6)

COLLECTION:

Clinton Presidential Records
Cabinet Affairs
Jennifer O'Connor
OA/Box Number: 4965

FOLDER TITLE:

Americans with Disabilities Act

2007-0143-F

db4476

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

jen

United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, D.C. 20240

MEMORANDUM

July 26, 1994

To: Christine Varney

From:

for Tom Collier *B. J. Hershberger*

Regarding: Department of the Interior compliance with the Americans with Disabilities Act

The Main Interior Building is about to begin its last major project to bring it into full compliance with the ADA. Construction will soon begin on elevator expansion to carry passengers to the eighth floor penthouse, which is currently only accessible by stair. This will allow full use of that space.

All 367 areas of the National Park System are, to some degree, accessible to the physically challenged. Some examples of efforts by the NPS include: tactile maps and guides to park areas; audio description to some media programs and museums; availability of sign language interpreters and TDDs; and accessible visitor facilities, picnic and camping areas and trails. All areas have the goal of total accessibility so that everyone can share in the experiences of our nation's natural and cultural wonders.

*jen*

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20410-0001

M E M O R A N D U M

FOR: Christine Varney
Cabinet Secretary

FROM: Bruce Katz
Chief of Staff

13- AA

DATE: July 27, 1994

SUBJECT: HUD Accomplishments for Americans with Disabilities

HUD has made great strides in furthering the American Disabilities Act and, in general, improving the opportunities for persons with disabilities. I have attached several documents that I thought may be of interest to you. Enclosed you will find:

- a list of bullets, which summarizes the Department's major achievements in implementing the American Disabilities Act as well as some additional activities which further the opportunities for the disabled in general;
- a narrative piece which outlines the ways in which the Department has responded to specific provisions of the Disabilities Act; and
- a summary of activities of the Architectural and Transportation Barriers Compliance Board, a board established by the ADA on which Secretary Cisneros serves as a member.

Enclosures

cc: Jennifer O'Connor

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**Major Achievements for Americans with Disabilities****July 27, 1994**

- The Mainstream Housing for Persons with Disabilities Program will provide, via 3500 Section 8 rental certificates (plus an additional 5000 certificates if Congress approves HUD's FY 1995 request), new housing opportunities for disabled persons in the private rental market, linking supportive services with the provision of housing.
- The ADA requirements have been written into all HUD program civil rights requirements and included in HUD's Notices of Funding Availability.
- A new Office of Program Compliance and Disability Rights has been created in the Office of Fair Housing and Equal Opportunity.
- Since the passage of the Americans with Disabilities Act, HUD has received and closed over 1000 complaints under the ADA's companion statute, Section 504.
- On June 16, 1994, HUD published a rule implementing the requirements of Section 504 with respect to its own programs and policies.
- Remedies in 26 Fair Housing Act cases have included structural modifications for persons with mobility impairments.
- The Department has published extensive guidance to the home building industry on the accessibility requirements for new construction of multifamily housing under the Fair Housing Act.
- HUD has adopted procedures for ensuring that public housing authorities that have not completed necessary structural modifications to units for persons with mobility impairments will be placed under corrective action plans.
- In 1993, HUD settled a case filed by a housing authority employee who had been fired because he was HIV positive. The former employee, who has since died from AIDS, was awarded \$40,000. An additional \$20,000 was awarded to groups of his choice.

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Major Achievements for Americans with Disabilities

BACKGROUND

The Americans with Disabilities Act

The Americans with Disabilities Act was enacted on July 26, 1990. The Act is seen by 43 million Americans with disabilities as the symbol of their attainment of full status as citizens entitled to the protection necessary to ensure that they have equal opportunity and access to the mainstream of American life. Among the problems faced by persons with disabilities is obtaining affordable housing that meets their needs. A recent study by the Department showed that, despite the high priority for housing that persons with disabilities have received from the Department, nonelderly disabled individuals are the group most likely to live in severely inadequate housing.

The Act consists of five titles. Title I prohibits employment discrimination based on disability by private and governmental employers, mandates that those employers make reasonable accommodations in their selection standards, policies, and practices, and requires employers to remove barriers to access to employment opportunities. The Equal Employment Opportunity Commission has the lead responsibility for enforcing title I. The provisions of title I apply to HUD recipients with 25 or more employees; after July 26, 1994, title I will apply to recipients with more than 15 employees.

Title II of the Act prohibits discrimination on the basis of disability in the programs, services, and facilities of state and local governmental entities. The provisions of subtitle A of title II apply to otherwise covered governmental entities whether or not they receive federal funds. Virtually all HUD governmental recipients are covered by title II. An example of a HUD recipient that would not be covered by title II is a private owner of an assisted housing project. An example of a state or local entity that would be covered by title II though not a recipient of federal funds is a housing agency that receives only state funding.

The Department of Justice has the lead responsibility for interpreting and enforcing the requirements of title II. HUD investigates and resolves title II complaints against its recipients. Additionally, HUD is the designated agency for complaints involving housing and housing assistance and referral, but not activities related to rent control, building codes, or the real estate industry. Subtitle B of title II covers public transportation and is the responsibility of the Department of Transportation.

Title III of the Act prohibits discrimination in public accommodations and services operated by private entities. All new public accommodations and services must be designed and constructed to be readily accessible to persons with disabilities. Examinations or courses related to licensing and certification must be made accessible to persons with disabilities. Examples of covered entities under title III that could relate to HUD activities are commercial establishments in an urban area revitalized with CDBG funds or a supportive services agency used by HUD in a homeless program. Title III is enforced exclusively by the Department of Justice.

HUD has only minimal involvement with the remaining titles of the Act. Title IV concerns telecommunications and title V contains miscellaneous provisions.

Other Statutes Protecting Persons with Disabilities

The Americans with Disabilities Act is only one of several statutes prohibiting discrimination against persons with disabilities for which HUD has some responsibility. One of the most important of the other laws is the Rehabilitation Act of 1973. Section 501 of the Rehabilitation Act prohibits discrimination in federal employment against persons with disabilities. Section 504 prohibits discrimination on the basis of disability in federally funded programs, including HUD's own programs and policies. This Administration has heightened the visibility and importance its enforcement responsibilities under both the ADA and Section 504. A new Office of Program Compliance and Disability Rights has been created in the Office of Fair Housing and Equal Opportunity. In addition, HUD, on June 16, 1994, after years of opposition under the previous administration, became the last federal agency to publish a rule implementing the requirements of Section 504 with respect to its own programs and policies.

The other major disability legislation enforced by HUD is the Fair Housing Amendments Act of 1988. The Fair Housing Act now prohibits discrimination by public and private housing providers against persons with disabilities, requires housing providers to permit reasonable modifications to dwelling units and their environs for accessibility, mandates that housing providers make reasonable modifications to their policies and practices, and establishes accessibility standards that must be met in the design and construction of new covered multifamily housing. Prior to the current fiscal year, the proportion of Fair Housing Act complaints filed on the basis of disability had been steadily increasing. As of the end of the second quarter of this fiscal year, 400 such complaints have been received, an unanticipated and unexplained decrease from the previous fiscal year. Settlements in 26 Fair Housing Act cases have included structural modifications as part of the remedy.

The Department has authority under the Fair Housing Act to

bring cases of discrimination before an Administrative Law Judge. Cases of discrimination under Section 504 and the ADA are referred to the Department of Justice for enforcement. In 1993, HUD settled a case brought under both the Fair Housing Act and Section 504 by a housing authority employee who had been fired because he was HIV positive and was a vocal activist in AIDS advocacy organizations. The former employee, who has since died from AIDS, was awarded \$40,000, and an additional \$20,000 for groups of his choice. In a Fair Housing Act case, an Administrative Law Judge awarded \$22,500 to a couple who had not been allowed to modify their condominium to accommodate the husband, who used a wheelchair.

IMPLEMENTATION AND ACCOMPLISHMENTS

ADA Implementation: Intergovernmental Activities

The Department of Justice, along with the Equal Employment Opportunity Commission in employment matters, interprets the substantive requirements of titles I and II of the Americans with Disabilities Act and sets the standards by which the other federal agencies carry out their respective enforcement responsibilities under titles I and II. The rule implementing title I of the Act was published by EEOC at 29 CFR part 1630. DOJ's rules implementing titles II and III of the Act are set forth in 28 CFR part 35 and 28 CFR part 36.

Both title II and title III of the Act require that newly constructed, altered, and existing covered facilities meet certain accessibility standards. The Architectural and Transportation Barriers Compliance Board (the "Access Board") is charged with the responsibility for developing the technical standards for achieving accessibility. HUD is one of the four federal standard setting agencies on the Access Board; the Assistant Secretary for Fair Housing and Equal Opportunity represents the Secretary in this capacity.

The Access Board just published an interim rule setting forth accessibility standards for entities covered by title II, including a proposed rule section on accessibility standards for residential housing provided by state and local governments. These accessibility standards will affect HUD recipients. The Department of Justice has published a companion rule that adopts these accessibility requirements as the standard for compliance with title II.

Other HUD Activities

The Secretary has initiated the Mainstream Housing for Persons with Disabilities Program to increase housing opportunities for disabled persons in the private rental market, and to link supportive services with the provision of housing. Using the Headquarters reserve, the Secretary will fund 3500

Section 8 certificates and vouchers earmarked for persons with disabilities; Congressional approval is being sought for an additional 5000 certificates and vouchers.

Other HUD programs designed specifically to meet the housing and related needs of persons with disabilities include: Housing Opportunities for Persons with AIDS; Supportive Housing for Persons with Disabilities; and Nursing Homes, Intermediate Care Facilities, and Board and Care Homes. The ADA requirements have been written into all HUD program civil rights requirements and included in HUD's Notices of Funding Availability.

According to instructions received from DOJ, all Section 504 complaints filed with HUD against its recipients also should be investigated and resolved under title II, if the recipient also is covered under the Americans with Disabilities Act. That guidance has been communicated to our ten enforcement centers. Since 1990, HUD has received 1302 Section 504 complaints and has closed 1278 Section 504 complaints. In addition, HUD receives complaint referrals from DOJ. The number of these referrals has increased dramatically from 5 in FY 1992 to 34 in FY 93. The procedures used to process title II complaints are the same as those for Section 504 complaints.

Under this Administration, Headquarters staff from the Office of Fair Housing and Equal Opportunity have conducted one training session for field enforcement personnel on disability issues, including the Americans with Disabilities Act. Among the topics covered were discrimination against persons with AIDS, overlapping coverage of HUD recipients, basic accessibility requirements under each of the Acts, and complaint enforcement procedures. In August, 1994, another training session for field enforcement personnel will be held. It is entitled Advanced Disability Issues Part One: Accessibility Standards. This training will cover in depth the accessibility standards under the Fair Housing Act, Section 504, and the Americans with Disabilities Act.

Early next fiscal year a second Advanced Disability course is planned, specifically covering issues arising under the Americans with Disabilities Act. In addition, a draft Notice on processing title II complaints has been prepared and will be submitted for clearance within the next thirty days.

ISSUES

Following are two major controversial issues that have surfaced since passage of the Americans with Disabilities, as they relate to HUD's activities:

1. "Unfunded mandate" Many state and local governments perceive the Americans with Disabilities Act as embodying federal requirements, particularly to meet accessibility standards, that

are not accompanied by federal funds. As the deadline to complete structural work required by the Act grows closer, more HUD recipients, particularly CDBG recipients, are seeking to explore using HUD funds to complete these accessibility features. PHAs have been under fairly stringent accessibility requirements through HUD's own Section 504 rule, and have been using CBG and CIAP funds to complete structural modifications.

2. Definition of "person with disabilities" Some persons object to the inclusion of persons with mental disabilities within the definition of persons with disabilities. Other persons object to the protection of persons who have a history of illegal drug use but who are not presently engaged in illegal drug use. Some persons also object to the inclusion of alcoholics in the definition of persons with disabilities. The source of most of this opposition can be traced to the conduct of individuals, not to their status.

EXECUTIVE SUMMARY

REPORT OF THE RECREATION ACCESS ADVISORY COMMITTEE

INTRODUCTION

The Architectural and Transportation Barriers Compliance Board (Access Board) is developing accessibility guidelines for newly constructed and altered recreational facilities and outdoor developed areas under the Americans with Disabilities Act (ADA) of 1990 and the Architectural Barriers Act (ABA) of 1968. The guidelines will address areas such as: amusement parks, outdoor developed areas which include parks, trails, and boating and fishing facilities, beaches, pools and other aquatics facilities, playgrounds and related equipment, indoor and outdoor sports facilities, and golf facilities.

In July 1993, the Access Board established a Recreation Access Advisory Committee to obtain information and advice on issues related to making recreational facilities and outdoor developed areas accessible to individuals with disabilities. During the past year, the Committee met in July 1993 in Washington, D.C.; in October 1993 in San Jose, California; and in January, March, and May 1994 in Washington, D.C. Members of the public were welcomed at all of these open sessions and were encouraged to comment formally during public forum segments of the meetings and to participate informally in the work of the six subcommittees which met more frequently during 1993 and 1994. Between 50,000 and 60,000 person-hours of work are estimated to have gone into the efforts to produce the report and recommendations.

COMMITTEE OBJECTIVES

The Committee was charged with the following objectives:

- Identify the types of recreational facilities and outdoor developed areas covered by the Americans with Disabilities Act and the Architectural Barriers Act.
- Identify the unique design elements of various specific recreational facilities and outdoor developed areas.
- Identify the design issues related to providing access in various recreational facilities and outdoor developed areas.
- Review voluntary guidelines for recreational facilities and outdoor developed areas.
- Provide recommended design guidelines for making recreational facilities and outdoor developed areas accessible to individuals with disabilities.

SUMMARY OF RECOMMENDATIONS

Examples of the types of recommendations provided by the various subcommittees are offered to provide examples of the design areas that were addressed and the diversity of the subject areas. Recommendations by the Committee are not easily translated into summary statements due to the complexity and technical nature of the report in each area. A complete review of the report will provide the reader with further background and rationale for these and other recommendations. Comments from the public are encouraged on the report which will be available in late August 1994.

The report is divided in six sections as they were addressed in subcommittees:

- Sports Facilities
- Places of Amusement
- Play Settings
- Golf
- Recreational Boating and Fishing Facilities
- Developed Outdoor Areas

SPORTS FACILITIES

Examples of facilities:

- field sports
- court sports
- rink sports
- aquatic facilities
- indoor multipurpose facilities
- bowling centers
- horse racing facilities

Some of the subcommittee's recommendations include:

- ✓ One means of access into the water in aquatic facilities should be provided. For pools that exceed a certain size, two means of access should be required. Designers would have the option to select the means of access as long as it allowed individuals with disabilities to use the facility independently and in a dignified manner.
- ✓ An accessible route should be required in the settee (scoring area) within bowling centers.
- ✓ An accessible route should be required to the field of play on court, field, and rink sports and to certain areas adjacent to the field of play.
- ✓ Doors to court sports such as handball, racquetball, and squash courts should comply with existing ADAAG requirements in terms of door width and clearances.

PLACES OF AMUSEMENT

Examples of facilities:

- amusement parks
- water parks
- zoos
- family fun centers
- carnivals and fairs
- specialty theaters
- wild animal parks

Some of the subcommittee's recommendations include:

- ✓ Rides should be designed to accommodate a wheelchair or to allow for a transfer. The designer would decide which type of access to provide. This decision would be based on whether providing access would fundamentally alter the nature of the ride experience.
- ✓ At least one accessible route or "accessible way" connecting accessible buildings, facilities, and elements should be provided in temporary and mobile places of amusement.
- ✓ Ramps and lifts should not be required to provide access to water slides.
- ✓ Platform lifts should be permitted as part of an accessible route for newly constructed facilities to access amusement devices. If the lift is used for a change in elevation greater than 30 inches, the lift should also accommodate a companion.
- ✓ To the maximum extent feasible, the accessible route to the amusement device, attraction, or specialty theater should coincide with the route of the general public. Where this is not possible, an alternate accessible route should be provided that may include loading and unloading at the same location or only at the load or unload area.

PLAY SETTINGS

Play settings can be found in:

- schools
- parks
- day care centers
- fast food restaurants
- amusement parks

Some of the subcommittee's recommendations include:

- ✓ An accessible route connecting accessible activities within the play area should have a surface that is stable, firm, and slip resistant and resilient within the use zone of equipment.

- ✓ Where more than one of the same activity is provided within close proximity, a minimum of one piece of the play equipment should be accessible. Where they are not in close proximity, each piece should be accessible.
- ✓ For larger play structures having 12 or more elevated play activities, both a ramp and a transfer system should be provided. The ramp should provide access to a minimum of one-half of the play components on the structure.
- ✓ One swing in each group of swings should have an accessible surface that allows for access up to the swing and for pushing.

GOLF

Examples of facilities:

18 and 9 hole golf courses
miniature golf courses
driving ranges
practice facilities

Some of the subcommittee's recommendations include:

- ✓ An accessible route should be provided from golf car paths to the teeing ground and other accessible elements. An accessible route should not be required for playing golf through the green.
- ✓ An accessible route should be provided on a miniature golf course. Each hole on the course should be accessible.
- ✓ One teeing ground on each hole of an 18/9 hole golf course should be accessible.
- ✓ Accessibility guidelines have not been recommended for greens.
- ✓ Practice bunkers should be accessible; accessibility guidelines are not recommended for hazards on the course.

BOATING AND FISHING

Examples of facilities:

marinas
boat launching facilities
fishing piers

Some of the subcommittee's recommendations include:

- ✓ The slope of boat launching facilities should be exempt from existing ADAAG ramp slope requirements.

- √ An accessible boat slip should be on an accessible route and include a 60 inch wide "finger pier".
- √ Three different options have been recommended for providing access on gangways. Each option is a departure from current ADAAG requirements.
- √ All new fishing piers should be accessible and where railings are provided, a minimum of 25 per cent of the railing area should be accessible.

OUTDOOR DEVELOPED AREAS

Examples of facilities:

- park trails
- picnic areas
- camping areas
- beaches
- equestrian facilities
- snow facilities

Some of the subcommittee's recommendations include:

- √ To address access in outdoor recreation areas, degrees of accessibility have been recommended to fit the diversity of recreation settings ranging from highly developed, moderately developed, and minimally developed areas.
- √ Accessibility guidelines are recommended for two different types of outdoor paths:
 - outdoor recreation access routes - these connect accessible parking, and other elements and is less than 1/4 mile in length
 - recreation trails - are typically designed for a recreational activity (i.e. hiking)

SUMMARY OF RECOMMENDED DESIGN GUIDELINES FOR OUTDOOR RECREATION ACCESS ROUTES

Level of Development Ease of Access	High Easier	Moderate Moderate	Minimal Difficult
clear width (minimum)	48 inches	36 inches	36 inches
sustained running grade*	5 %	5 %	8 %
maximum grade	8 %	10 %	10 %
for a maximum distance of	30 feet	50 feet	50 feet
cross slope	3 %	3 %	3 %
passing space interval	200 feet	300 feet	400 feet
rest area interval	400 feet	900 feet	1200 feet
level changes	1/2 inch	1/2 inch	1 inch

* Note: No more than 20% of the total length of the outdoor recreation access route shall exceed the maximum sustained running grade.

SUMMARY OF RECOMMENDED DESIGN GUIDELINES FOR RECREATION TRAILS

Type of Development Ease of Access	Urban/Rural Easier	Natural Moderate	Back Country Difficult
clear width (minimum)	48 inches	36 inches	28 inches
sustained running grade*	5 %	8 %	12 %
maximum grade	10 %	14 %	20 %
for a maximum distance of	30 feet	50 %	50 %
cross slope**	3 %	5 %	8 %
passing space interval	200 feet	300 feet	400 feet
rest area interval	400 feet	900 feet	1200 feet
level changes	1 inch	2 inches	3 inches

* Note: No more than 20% of the total trail length shall exceed the sustained running grade.

** Note: Cross slope may not exceed 3% in maximum grade segments.

- √ The Committee recommends that the highest degree of access practicable and feasible be provided when designing outdoor recreation access routes and recreation trails. To determine the appropriate degree of accessibility at an outdoor recreation site two alternatives are proposed:

Alternative A: This approach bases the determination on five interrelated factors present in the outdoor recreation environment: recreation setting, condition of the natural environment, amount of structural modification, recreation experience, and consultations with people with disabilities. This approach strives to balance the highest

degree of access with protecting the fundamental nature of the recreation setting or experience.

Alternative B: This approach defines the highest degree of access at the outset to be the easiest degree for all recreation settings and environments unless it would change the fundamental nature of the activity or environment. Exceptions are then invoked to modify the degree of access, on an element by element basis because of severe elevations, geologic features, historic character, or the specific purpose of a trail. Documentation for the exception must include evidence that people with disabilities were involved in the decision.

- √ An accessible route is recommended to the water's edge of a beach. The surface of this route should be stable, firm, and slip resistant and can be either permanent or temporary.

Justice**ADA ENFORCEMENT**

* Since the ADA took effect, the Department has initiated 9 lawsuits, participated as amicus curiae or intervenor in 12 other suits, negotiated 4 consent decrees, and resolved approximately 250 complaints involving the private sector under title III and state and local governments under title II. The consent decrees and out-of-court resolutions of the complaints have resulted in the removal of physical barriers, the provision of auxiliary aids, and the elimination of discriminatory policies in a wide variety of settings, including courts, police departments, city government facilities, stadiums, hotels, restaurants, retail stores, private schools, health clubs, and banks.

* Pending title III litigation involves failure to provide for accessibility when renovating hotel and restaurant facilities such as hotels and restaurants, and the refusal of dentists to treat individuals who are infected with the Human Immunodeficiency Virus (HIV).

* Two recent title III consent decrees involved preparatory courses for individuals studying for professional licensing examinations for attorneys and certified public accountants. These decrees ensure that individuals with disabilities, specifically persons with hearing and vision impairments, will have an equal opportunity to benefit from these courses leading to professional careers.

* Recent out-of-court agreements provide for:

* Equal opportunities for high school students with disabilities to take a new version of the SAT examination offered by the Educational Testing Service and College Entrance Examination Board

* Modifications to provide accessibility of the Empire State Building's observation deck facilities

* Accessibility modifications in the largest restaurant in Boston and three other restaurants owned by the same family

* Extensive training program for City of Philadelphia emergency medical personnel for treatment of persons with HIV or AIDS

* Modification of 9-1-1 emergency telephone services in several cities to ensure that persons who are deaf, hard of hearing or who have speech impairments have access to emergency service

* Recent highlights of the technical assistance program include:

conversion to a toll-free telephone information line now staffed eight hours a day, with Spanish translation services

development of television and radio public service announcements for national distribution

distribution of ADA information packets to 15,000 public libraries and 6,000 Chambers of Commerce across the country.

Education 1/2

The Department and the Secretary have aggressively moved to enforce the requirements of the ADA by:

- o Establishing the Secretary's Disability Work Group, comprised of staff representing each of the Departments Principal Offices. The charge of the group is to review and make recommendations to the Secretary on the recruitment, hiring and advancement of individuals with disabilities throughout the Department's workforce. The group is also charged with identifying current barriers and recommending ways to eliminate these barriers to hiring individuals with disabilities.
- o Establishing a Department-wide Equity Task Force charged with making recommendations to the Deputy Secretary on ways the Department can assure equal access to its programs. This group works closely with the Disability Work Group to promote equity within and outside of the Department.
- o Providing a detailed memorandum to the Office of Management and Budget and the President's Management Council on ways the Federal Government can improve upon and promote more reasonable accommodations for its employees with disabilities.
- o Participation of OSERS employees with disabilities on all reinvention committees to promote and ensure that people with disabilities are represented.
- o Securing substantial budget increases in FY 1995 and 96 to provide for more of the Department's documents to be made available in alternate formats for employees with disabilities and for the Department's external customers as well.
- o Including projects that will begin in October 1994, since the passage of the ADA, NIDRR has spent approximately \$23.0 million on an ADA technical assistance program that is made up of 5 components:
 - o 10 Regional ADA Technical Assistance Centers
 - o National Training Projects
 - o Materials Development Projects
 - o ADA Grant Coordination Contractor
 - o Interagency Collaboration
- o The Technical Assistance Centers:
 - o Receive 6,000 calls per month on 800# that automatically routes caller to the Center serving the area code of the caller.

Education 2/2

- o Train over 60,000 persons per year on all parts of the ADA using a variety of methods and formats:
 - 1. Business ----- 29%
 - 2. Government ----- 27%
 - 3. Individuals with Disabilities- 24%
 - 4. Service Providers ----- 12%
 - 5. Other ----- 8%
- o Distribute 540,000 documents per year at no cost or cost of shipping and duplication.
- o Provided 80,000 instances of technical assistance per year. Technical assistance defined to include: making referrals, answering technical questions, and providing on-site consultation, making TV/radio appearances, and writing newspaper and magazine articles.
- o The Centers have undertaken a wide range of special initiatives in addition to their core functions. Some of these special initiatives are:
 - o A Minority Outreach Project in Los Angeles that began with \$25,000 from the Region IX DBTAC and grew to \$120,000 with matching grants from the local and State agencies. The outreach is targeted to minority community organizations, consumers, and disadvantaged business enterprises.
 - o A Hispanic Outreach Project in Texas that developed new ADA materials in Spanish and piloted the use of mass media as a means of reaching persons who are Hispanic and have limited proficiency in English.
 - o The development of a pilot curriculum about the ADA and disability awareness for elementary and secondary school students.



DEPARTMENT OF THE TREASURY
WASHINGTON, D.C. 20220

July 26, 1994

MEMORANDUM FOR CHRISTINE VARNEY

FROM:

Joshua L. Steiner *JS*
Sandra Mancini *SM*

SUBJECT:

Americans with Disabilities Act Information

EEOC's most recent report indicates that Treasury ranks 10th among 49 agencies in the employment of individuals with severe disabilities. Treasury ranks even higher regarding employment of individuals with disabilities in all categories.

The Department of Treasury has a consolidated affirmative action program for the hiring, placement, and advancement of individuals with disabilities. Authority has been delegated to all bureaus to establish a program that best suits their needs. The Departmental Advisory Committee on Disability, consisting of representatives from every bureau and employees with disabilities, helps to promote the affirmative action program and disseminate information.

Treasury has published a regulation prohibiting discrimination on the basis of disability in its own programs and activities. The regulation requires the bureaus to perform a self-evaluation of accessibility to their facilities and programs. If the facilities fall short, the bureau must develop a transition plan to ensure complete compliance. All bureaus have begun compliance activities and each bureau has submitted a formal plan to the Department.

Veterans Affairs

**ADA Accomplishments
Department of Veterans Affairs**

- Our Vocational Rehabilitation and Counseling program field staff have been trained in the provisions of the Americans with Disabilities Act, and work closely with employers to help them understand their responsibilities under ADA and the advantages of employing qualified people with disabilities.
- They have, in turn, trained contract personnel who provide counseling and rehabilitation services for VA beneficiaries so that they can use the tools provided in ADA in placing people with disabilities in suitable employment.
- They have also helped numerous employers in providing reasonable accommodation for employees with disabilities. In one case, a good employee who had a hearing deficit was able to stay in his job after a vocational rehabilitation specialist visited the job site and placed a telephone amplitude device on the worker's telephone. Cost to the employer - \$6.
- VA employs over 4,000 staff with targeted serious disabilities.

Health & Human Services

- The President's proposal for health and long-term care reform, the Health Security Act, demonstrates a proactive commitment to putting into practice the values and goals of the Americans with Disabilities Act. USA absolutely prohibits insurance plans from imposing pre-existing conditions limitations, and mandates community rating -- the result is that insurance plans have no choice but to treat people with disabilities the same way they treat those without disabilities. In addition, the HSA includes a new home and community based services program for people with disabilities and a special new program that reinforces the non-discrimination in employment provisions of the ADA. This new program offers a 50% tax credit for personal assistance expenditures up to \$15,000 per year for people with disabilities who work.
- HHS supports numerous service and research programs aimed at enhancing the independence and quality of life of people with disabilities and their families. Many of these programs, while they are not directly tied to ADA implementation, enable people to live and move about freely in home and community based settings, which in turn, allows them to take full advantage of the civil rights protections of the ADA. Service programs include income supports and Medicaid financed home and community based services, among others. Research and demonstration programs range from programs funded by the Administration on Developmental Disabilities to help people find personal care services or purchase homes, to NIH clinical research on health promotion, disease prevention, and improving technology to assist in independent living.
- The Department of Health and Human Services' National Center for Health Statistics, as part of the Supplement on Disability to the National Health Interview Survey, has begun interviewing one of the largest national samples of people with disabilities ever studied. Questions concern service use, adaptations, and experience with employment. The information HHS collects through the Disability Survey will go a long way toward helping us analyze the impact of disability on people's lives, the effectiveness of current programs, and the costs of new programs. These analyses will help us to target ADA policies and enforcement activities so they can best benefit Americans with disabilities.
- The Social Security Administration is just winding down a large scale research project -- Project NETWORK -- designed to help us find better ways to provide employment and rehabilitation related services for recipients of SSI and SSDI, again reinforcing the non-discrimination in employment provisions of the ADA.



OFFICE OF NATIONAL DRUG CONTROL POLICY
EXECUTIVE OFFICE OF THE PRESIDENT
Washington, D.C. 20500

July 26, 1994

MEMORANDUM FOR BOB WASSERMAN

FROM: FRED GARCIA *FG*

SUBJECT: ONDCP Support for the Americans with Disabilities Act

ONDCP strongly supports the principles that inform the Americans with Disabilities Act and is working to ensure that addiction is understood and addressed for the profound disability it is. This is reflected concretely in three ways:

- Treatment for addicts and chronic, hardcore drug users is the highest priority of the National Drug Control Strategy and is the major budget initiative of the 1994 Strategy;
- This Office strongly supports continued Supplemental Security Income (SSI) benefits to drug addicts. SSI offers the potential to get indigent addicts and alcoholics into treatment, monitor their progress, and provide modest support through their recovery; and
- This Office supports recent rulings by the EEOC that will foster provision, through the workplace, of treatment for disabilities including HIV/AIDS and addiction.



UNITED STATES
OFFICE OF PERSONNEL MANAGEMENT
WASHINGTON, D.C. 20415

OFFICE OF THE DIRECTOR

July 26, 1994

MEMORANDUM FOR LAURIE LABUDA
OFFICE OF CABINET AFFAIRS

FROM: MICHAEL CUSHING
CHIEF OF STAFF

A handwritten signature in cursive script, appearing to read "Michael Cushing", is written over the typed name and title.

SUBJECT: OPM Accomplishments on Employing People
With Disabilities

- o The development and promotion of a new automated referral system called Project ABLE (Able Beneficiaries' Link to Employers.) The Project was designed to encourage the employment of beneficiaries of the Social Security Administration who are now willing and able to work. The Project is one of our reinvention laboratories; thus far, it has resulted in six placements.
- o Wide promotion of availability of the Job Ready Disabled Veterans Connection (JRDVC) automated referral system. This system is designed to encourage the employment of disabled veterans who have completed vocational rehabilitation programs sponsored by the Department of Veterans Affairs.
- o The development and co-sponsorship of a new interagency video, called "Focus on Ability." The video has been shown to several large audiences. It has received favorable reviews as a model of excellence in the Federal government. OPM plans to release Focus with wide distribution this fall.
- o Issuing the 1993 reports to Congress on the Disabled Veterans Affirmative Recruitment Program (DVAPP) and the Federal Equal Employment Recruitment Program (FEORP.) The reports focus on specific agency results and trends in reaching Federal equal employment opportunity goals.



UNITED STATES DEPARTMENT OF COMMERCE
Office of the Secretary
Washington, D.C. 20230

July 26, 1994

MEMORANDUM FOR CHRISTINE VARNEY

From: Rob Stein 

Subject: Commerce Activities in Support of Americans with Disabilities Act of 1990

Commerce is actively engaged in activities to support the Americans with Disabilities Act (ADA).

- Commerce's National Institute of Standards and Technology (NIST), the government's preeminent civilian industrial technology laboratory, is conducting research in several areas which will benefit Americans with disabilities.
 - Under a Cooperative Research and Development Agreement with United Technologies' Otis Elevator, NIST is working to develop firesafe elevators to be available to evacuate disabled individuals in emergency situations.
 - NIST is also working with the Veterans Administration on hearing aid testing, and is further working to improve artificial hips and other medical prosthesis.
 - Finally, NIST is working to develop improved robotic actuators to mechanically perform certain functions for disabled individuals.
- Commerce's Bureau of the Census has recently completed a report entitled "Americans with Disabilities: 1991-92" -- the first comprehensive disability survey ever undertaken by the Bureau. This report will be useful in establishing baseline numbers as the Nation works to reduce barriers faced by persons with disabilities.
 - The report found that only about half of persons aged 15 to 64 with a severe disability had private health insurance compared with 80 percent of persons with no disability.
 - The report also found that an estimated 34.2 million Americans 15 years of age or older had difficulty performing one or more of six functional activities (seeing, hearing, speaking, lifting and carrying, walking, and climbing stairs.)
- In addition, Commerce is an active participant in the United States Architectural and Transportation Barriers Compliance Board working to develop accessibility guidelines for ADA implementation. Commerce serves on the Board's Executive Committee and is a member of the Board's Recreation Access and Children's Environments Rulemaking Committees.

**United States
Information
Agency**

Washington, D.C. 20547

Office of the Director

**USIA**

July 26, 1994

MEMORANDUM FOR LAURIE LABUDA, Cabinet Affairs

FROM: IRIS BURNETT, Chief of Staff *IB*

SUBJECT: USIA ADA PROGRAMS

The following are highlights of what USIA is doing to celebrate the ADA:

WORLDNET

- Worldnet has prepared a feature with interviews of people with disabilities focussing on how the ADA has affected their lives. The story will be included in a Newsfile package with coverage of the White House event on July 27th. The package will be placed worldwide on July 28th in English, Arabic, French, Spanish and Russian.
- Last week, Worldnet aired a program on a Russian woman who is in a wheelchair (who was in the US on USIA's Business for Russia program) and her enthusiastic and complimentary views on accessibility in the US. The program was aired in Russia.
- Worldnet's "Windows on America" did a feature on the ADA for Ukraine.
- Worldnet is planning an interactive dialogue series on the ADA's impact on Americans.

VOA

- VOA will offer coverage of the White House event on July 27 to their 46 language services with an audience of nearly 100 million people each week.
- The VOA Current Affairs division is broadcasting a six-part series on the treatment of people with disabilities as human rights issue and the ways in which the ADA has improved the lives of Americans with disabilities. The series will be offered to all 46 language services as part of the 940 hours of original programming VOA broadcasts each week.
- VOA's Armenian Service broadcast a radio bridge between American and Armenian experts including the Armenian Minister of Health discussing issues facing the disabled and progress made in United States.



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

MEMORANDUM

July 26, 1994

To: Christine Varney

From:

for Tom Collier *B. J. Henderson*

Regarding: Department of the Interior compliance with the Americans with Disabilities Act

The Main Interior Building is about to begin its last major project to bring it into full compliance with the ADA. Construction will soon begin on elevator expansion to carry passengers to the eighth floor penthouse, which is currently only accessible by stair. This will allow full use of that space.

All 367 areas of the National Park System are, to some degree, accessible to the physically challenged. Some examples of efforts by the NPS include: tactile maps and guides to park areas; audio description to some media programs and museums; availability of sign language interpreters and TDDs; and accessible visitor facilities, picnic and camping areas and trails. All areas have the goal of total accessibility so that everyone can share in the experiences of our nation's natural and cultural wonders.

Dept of Labor

Michael
Tom
Kitty

**Enforcement of Equal Opportunity Programs
for
Individuals with Disabilities**

**Section 503 of the Rehabilitation Act
and
Americans with Disabilities Act (ADA)**

Since 1973, Office of Federal Contract Compliance Programs (OFCCP) has had authority to enforce Section 503 of the Rehabilitation Act of 1973 as amended. The Department of Labor has, therefore, had 21 years of experience of protecting the rights of the disabled. On July 26, 1992, the Americans with Disabilities Act (ADA) became effective. In July 1994, the coverage under the ADA dropped to employers with 15 employees. July 20

The ADA provided that OFCCP and the Equal Employment Opportunity Commission (EEOC) coordinate the processing of complaints which fall within the overlapping jurisdiction of the two laws. Thus, in accordance with coordination regulations, which became effective July 26, 1992, complaints filed with the OFCCP are considered simultaneously dual filed under the ADA.

Currently, EEOC has not referred any ADA complaints to the OFCCP pursuant to our procedural memorandum of agreement.

OFCCP is in the process of finalizing its revisions of its regulations to conform with those issued by EEOC under the ADA. These conforming regulations will be issued in the fall of this year. OFCCP is also developing a training package on these new regulations.



U.S. Department of
Transportation

Office of the Secretary
of Transportation

400 Seventh St., S.W.
Washington, D.C. 20590

**Review of Department of Transportation
Implementation of Accessibility Requirements,
for Domestic Policy Council, July 25, 1994**

Much has been accomplished toward achieving a barrier-free transportation system, and an environment where travelers with disabilities will be treated without discrimination.

Summary

In mass transit, accessibility improvements are appearing rapidly, in the form of bus lifts and door-to-door paratransit vans. Rail transit systems are upgrading their key stations and buying railcars with accessibility devices.

In intercity rail, one car per train will be accessible by 1995.

On the highway, interstate rest areas and all pedestrian facilities being constructed, renovated and altered with Federal aid are being brought into conformance.

Disabled air travelers can use the air transportation system with much less difficulty. Airports are far more accessible. New aircraft have features such as movable aisle armrests, special wheelchairs to permit easy movement in the cabin, and, in some cases, accessible lavatories.

The Department is developing a proposed regulation to establish accessibility requirements for over-the-road-buses.

Although marine vessels are not mentioned specifically in the ADA, the Department has initiated the research that would enable it to begin rulemaking to require vessels (ranging from ferry boats to cruise ships) and facilities to be accessible.

Highlights

Transit

Buses - Half of the nation's 52,500 transit buses operating in urbanized areas (over 50,000 population) are now lift or ramp-equipped (versus 35 percent prior to ADA). Eventually, all will be fully accessible, as new buses replace old.

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Rapid Rail - Most of the 8,100 rapid rail cars in service are accessible to wheelchair users now, although they lack accessibility features for the hearing and visually impaired.

Key Stations - Of the 2679 stations in the Nation's rapid, light, and commuter rail systems, 708 have been identified as key stations, which must be made accessible. DOT has had to grant time extensions for 284 such stations on the basis of extraordinary costs. These extensions are in accordance with the ADA. Requests were denied for 115 others.

While under ADA the extended modifications may take until 2020 in some cities, the majority are expected to be completed by 2000. Some systems are already generally accessible, based on the Federal standards in place as they were built. These include systems in Miami, San Francisco (BART) and Los Angeles.

Paratransit - The ADA requires parallel paratransit service to persons with disabilities who cannot use the fixed route systems. Operators have until January 27, 1997, to comply. Of the 540 transit systems subject to the paratransit requirements, more than 100 report full compliance already and 60 percent indicate that they expect to be in full compliance by 1995. There are substantial problems nonetheless:

- It is still too early in the implementation timetable to determine whether lack of funding for paratransit will prove a major problem in transit agencies, all of which are dependent on existing Federal, state and local funds.
- The operators are concerned about the prospect that human service agencies will abandon the transportation services they have traditionally provided, forcing even more clients onto the overburdened ADA paratransit services.
- Many paratransit systems are encountering problems because they may have to deny service to able-bodied elderly patrons previously served on the basis of age, but who are no longer required to be eligible under ADA guidelines.

Costs - The ADA requires substantial cost for compliance:

- For the FY 95-99 period, annual ADA costs are expected to be \$900 million, or about 4% of all public transit costs.
- Of this, costs for paratransit are estimated to be \$700 million a year, \$600 million of which is attributable to operating costs.
- The estimated cost of compliance with the ADA transportation requirements for the transit industry between 1991 and 2000 is \$7.3 billion.

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Intercity Rail

Rail Service - Amtrak's service is becoming accessible, using station-based lifts to accommodate wheelchairs moving from the platform onto the car as well as accessible features within railcars. Amtrak expects to meet the requirement of one accessible car per train by ADA's July 1995 deadline.

Stations - A more difficult problem has been the major alterations needed to bring their stations into conformance with ADA standards. The standards call for full accessibility at all Amtrak stations as soon as possible, but no later than July 2010. Amtrak has identified eight key stations, the cost of modifying which is estimated to be in excess of \$10 million. They have requested extensions on several of them.

Highways

New Facilities - All Interstate highway rest areas have long since been made accessible. Other street and highway-related facilities are covered by the DOJ's ADA Title II regulations. Whenever pedestrian facilities or bus stops and shelters are provided in conjunction with new street or highway construction, curb cuts must be included. When the provision of the curb ramps will be totally completed is uncertain.

Over the Road Buses - The Department is now engaged in rulemaking on over-the-road buses. By statute this rule is to go into effect in 1996 and 1997. This is a very difficult area, because accessibility devices are expensive, and the intercity bus industry is in fragile financial condition. This industry is a critical component of the Nation's transportation system for rural and low income passengers.

Aviation - Major new levels of accessibility had been achieved under the Air Carrier Access Act, before ADA was enacted.

Aircraft - New aircraft delivered after April 1992, depending on size, have to have such features as movable armrests, space for at least one passenger's folding wheelchair and accessible lavatories on twin-aisle aircraft.

Passengers Services - All carriers must now provide disabled passengers with assistance in boarding, deplaning, and making connections. Passengers with battery-powered wheelchairs are routinely accommodated, with few exceptions. Complaints Resolution Officials must be immediately available. Sensitivity training, and training on the proper operation of equipment for travelers with disabilities is required.

Airports - Most airports and all air carrier-operated terminals being built or altered must be made accessible (e.g.,

- 4 -

baggage services, signage, water fountains, bathrooms, ticket counters, and information/telecommunications devices). There must be an accessible path from the front door of the terminal to the boarding gate to all aircraft with 30 or more seats. All Federally assisted airports are generally in compliance.

Commuter Aircraft - When DOT issued its air carrier regulations in 1990, there was no safe, efficient way for passengers using wheelchairs to board and leave small commuter aircraft. A series of external lifts recently developed, however, allowed DOT to publish last September a proposed rule to jointly require commuter air carriers and airport operators to acquire lift devices or other equipment to board passengers with mobility impairments onto such aircraft by 1997.

Information Program

One of the Department's most important areas is outreach to the disabled community. We have a major information program to advise passengers of the opportunities open to them. We provide information and interpretation of our regulations to travelers with disabilities and respond to complaints about non-compliance on a continuing basis. We also provide technical assistance on the special transportation needs and technologies to meet the needs of persons with disabilities to planners, architects, designers, and providers of transportation services.

Internal DOT Activities

Since January 1992, the Department has experienced a steady increase in the number of ADA complaints. To be more responsive, at the Secretary's direction, the Department is consolidating its civil rights functions. Under the consolidation, the Regional Offices located closest to the complainant will process and investigate these complaints.

DOT is conducting a self-evaluation under Section 504 of the Rehabilitation Act to ensure that its own programs and activities are accessible. Approximately 12,000 Departmental facilities are being surveyed to discover barriers to accessibility and eliminate them. All the Department's regulations relating to licensing are being reviewed to ensure that qualified individuals with disabilities are not prevented from careers in transportation.

To commemorate the 4th anniversary of the ADA, on July 26th the Secretary is holding a meeting with leaders of most of the major disability advocacy groups, to discuss progress to date.

Wendy E.Y. 7/25

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DRAFT

FOR IMMEDIATE RELEASE
Tuesday, July 26, 1994

DOT -94
Contact: Roslyn Kaiser
Tel.: (202) 366-5571

**PEÑA SCORES DOT PROGRESS TOWARD
ACCESSIBLE TRANSPORTATION**

Marking the fourth anniversary of the signing of the Americans With Disabilities Act (ADA), U.S. Secretary of Transportation Federico Peña said today the department has made substantial progress toward a national transportation system that is accessible to travelers with disabilities.

In the first meeting any Secretary of Transportation has ever had with leaders of the disability community, Peña said, "We know transportation is the key that allows people with disabilities to enter the mainstream. The department has been working vigorously to carry out the requirements of the ADA, and we can point to many accomplishments.

"However," he said, "the task is far from complete. There are some regulations not yet in effect, and other rules that need to be put in place to remove barriers."

Here is a status report on accessibility rules for the various modes of transportation:

Mass Transit: Every federally aided mass transit system provides a type of accessible service for passengers with disabilities. Accessibility improvements such as bus lifts and vehicle ramps are appearing rapidly, as well as door-to-door paratransit (alternate services) vans for people who cannot use the fixed routes. In addition, the Federal Transit Act requires fixed-route systems to charge elderly and disabled passengers one half the standard fare non-peak periods.

The department provides information and technical assistance to the transit industry on making vehicles and stations accessible. The department also has established the National Transit Institute at Rutgers University in New Jersey to educate transit operators on all aspects of the ADA. Transit rail systems are upgrading their key station transfer points or those that are heavily used -- and buying new cars with accessible devices.

Rail: Regulations for Amtrak as well as transit systems call for one car per train to be accessible by 1995. Amtrak's existing stat

DRAFT

must be modified by the year 2010. Elderly and disabled passengers travel at a 25 percent discount on one-way tickets. Amtrak operates a customer service desk that assisted more than 150,000 senior citizens and passengers with disabilities in 1993.

Aviation: It is now much easier for travelers with disabilities to use the air transportation system. Required accessibility features (at airports and carrier terminals that receive federal aid) include accessible parking, baggage services, informative signs, water fountains, bathrooms, ticket counters information/telecommunication devices.

U.S. airlines are required to install accessible features on new and refurbished aircraft. The department estimates that by the end of 1993, the 10-20 percent of the fleet, or 400-800 aircraft (with more than 29 seats) had movable armrests on half of the aisle seats. Nearly all new and existing aircraft have on-board wheelchairs for cabin use. About 200 planes (with more than 99 seats) provide cabin stow space for at least one folding wheelchair, and roughly 10 percent of twin-aisle aircraft have fully accessible lavatories.

Highways and Streets: Nearly all rest areas on Interstate highways and other new roads funded with federal aid are now accessible. Streets and highway pedestrian facilities being constructed, renovated and altered with federal aid are being brought into conformance with regulations that require installation of curb cuts to accommodate wheelchairs.

Intercity Buses: The department is currently developing proposals to establish accessibility requirements for intercity, charter and other non-mass transportation bus services. The rule would take effect by the ADA deadlines of 1996 and 1997.

Maritime: DOT is conducting research to help develop accessibility standards for maritime vessels and facilities, ranging from ferry boats to cruise ships.

Meeting with the Secretary today were representatives of the National Council on Independent Living; American Council of the Blind; American Federation of the Blind; Paralyzed Veterans of America; Eastern Paralyzed Veterans of America; National Association of the Deaf; National Association of Protection and Advocacy; Center for Independent Living (Berkeley, Calif.); Disability Rights Education Defense Fund; and Endependence Center of Northern Virginia.

According to DOT, people with disabilities were involved in drafting and commenting on DOT's transit and air accessibility regulations and the department continues to seek their suggestions for ADA rules. Additionally, the department provides \$2 million in annual funding to Project ACTION, operated by the National Easter Seals, which brings together all key decisionmakers in implementing the ADA, including DOT, members of the Architectural and Transportation Barriers Board, transit providers and equipment manufacturers, as well as major groups representing the people with disabilities.

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**DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20250**

July 26, 1994

MEMORANDUM FOR WHITE HOUSE CABINET AFFAIRS

FROM: Frederick G. Slabach 
Assistant Secretary for Congressional Relations

SUBJECT: USDA Initiatives in Support of People With Disabilities

USDA opened the Technology Accessible Resources Gives Employment Today (TARGET) Center to assist the Department and other Federal agencies in providing an accessible work environment. Located at USDA headquarters in Washington, D.C., the TARGET Center is a model within the public sector, providing technology and information services to assure equal access to electronic technology and automated systems essential to today's jobs.

The USDA Forest Service is undertaking major efforts to ensure that recreational facilities in national forests are accessible to all people, including people with disabilities. In a public/private partnership, the Forest Service and hundreds of other companies and individuals are designing recreational facilities that are fully accessible. Over \$10 million has been devoted during the past three years to this effort.

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**Major Accomplishments to Further the
American Disabilities Act****July 26, 1994**

- The Mainstream Housing for Persons with Disabilities Program will provide, via 3500 Section 8 rental certificates (plus an additional 5000 certificates if Congress approves HUD's FY 1995 request), new housing opportunities for disabled persons in the private rental market, linking supportive services with the provision of housing.
- The ADA requirements have been written into all HUD program civil rights requirements and included in HUD's Notices of Funding Availability.
- A new Office of Program Compliance and Disability Rights has been created in the Office of Fair Housing and Equal Opportunity.
- Since the passage of the Americans with Disabilities Act, HUD has received and closed over 1000 complaints under the ADA's companion statute, Section 504.
- On June 16, 1994, HUD published a rule implementing the requirements of Section 504 with respect to its own programs and policies.
- Remedies in 26 Fair Housing Act cases have included structural modifications for persons with mobility impairments.
- The Department has published extensive guidance to the home building industry on the accessibility requirements for new construction of multifamily housing under the Fair Housing Act.
- HUD has adopted procedures for ensuring that public housing authorities that have not completed necessary structural modifications to units for persons with mobility impairments will be placed under corrective action plans.
- In 1993, HUD settled a case filed by a housing authority employee who had been fired because he was HIV positive. The former employee, who has since died from AIDS, was awarded \$40,000. An additional \$20,000 was awarded to groups of his choice.



U.S. Department of Justice

Office of Justice Programs

*Len*Washington, DC 20531
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EXECUTIVE SECRETARIA

08 JUL 1994

MEMORANDUM TO THE ATTORNEY GENERAL

THROUGH:

Jamie S. Gorelick
Deputy Attorney General *JSG 7/23/94*Laurie Robinson
Acting Assistant Attorney General
Office of Justice Programs

FROM:

Carol V. Petrie *Carol Petrie*
Acting Director
National Institute of Justice

SUBJECT:

Advance Notification of NIJ Publication

PURPOSE: To provide the Attorney General with advance copies and notification of the pending release of **The Americans With Disabilities Act and Criminal Justice: Providing Inmate Services**, a Research in Action published by the National Institute of Justice.

DISCUSSION: The document explores the implications of Title II of the Americans with Disabilities Act (ADA) for inmate programs, activities, and services. It is one in a series designed to help the criminal justice system understand and comply with provisions of the ADA.

TIMETABLE: The document will be released beginning seven days from the above date to criminal justice policymakers, practitioners, associations, and researchers.

If we may provide additional information regarding this document, I may be reached at 307-2942.

Attachments

U.S. Department of Justice
Office of Justice Programs
National Institute of Justice



National Institute of Justice

Research in Action

July 1994

The Americans With Disabilities Act and Criminal Justice: Providing Inmate Services

by Paula N. Rubin and Susan W. McCampbell

Title II of the Americans With Disabilities Act (ADA) requires that State and local governmental entities, regardless of size, provide equal access for persons with disabilities to programs, services, and activities of the entity, as well as to employment opportunities. The ADA covers criminal justice agencies, including corrections facilities, operated by or on behalf of State and local governmental entities.

The ADA affects how employees for sworn and unsworn positions are hired in the corrections field. The law also affects the delivery of programs, services, and activities offered to inmates and their visitors—family members, attorneys, clergy, or any other person having a legitimate reason to visit an inmate. Moreover, the ADA applies not only to the mandatory programs that agencies are required to offer inmates, but also to any voluntary programs the facility may provide.

This Research in Action report, the third in a series on the Americans With Disabilities Act published by NIJ, explores the implications of Title II of the ADA for inmate programs and services. The Department of Justice (DOJ), one of eight Federal agencies responsible for enforcing the ADA, is designated to investigate, among other

things, complaints involving law enforcement, public safety, and correctional institutions. During the first 9 months the ADA was in effect, 272 complaints were retained by DOJ for alleged violations of this new law.¹ The single largest number of complaints retained for investigation by the Department were employment-related, with prisons and law enforcement the main focus.² The second largest number of those complaints involved inaccessible facilities or programs in prisons and courthouses.³

Title II: legal overview

Title II makes it illegal to discriminate against qualified individuals with disabilities.⁴ Under the law, a person has a disability if he or she suffers from a physical or mental impairment that substantially limits a major life activity, such as seeing, hearing, walking, talking, breathing, sitting, standing, or learning. A person will also be considered disabled, for purposes of this law, if there is a record of such an impairment or if he or she is perceived or regarded as having such an impairment. Those associated with a person with a disability are also entitled to certain protections.

To be covered by Title II of the ADA, a person must meet the definition of a "qualified individual with a disability." Such a person is defined as "...an individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by a public entity."

Essential eligibility requirements. The essential eligibility requirements for receiving many of the services delivered in a correctional facility and for participating in many prison program activities may be minimal. For example, if certain types of offenders are entitled or required to attend counseling sessions, then having committed the offense in question may be the only eligibility requirement for attending the counseling sessions.

On the other hand, if a prison offers advanced educational opportunities, the requirement that a prisoner have completed the educational prerequisites to advanced classes is a legitimate eligibility requirement that does not discriminate on the basis of disability.

Highlights

NJI's initiative to examine the implications of the Americans With Disabilities Act (ADA) for criminal justice agencies at the State and local levels was created to respond to the need for understanding of the Act in the criminal justice field and the new opportunities it offers persons with disabilities. This Research in Action, the third in a series designed to explain how the Americans With Disabilities Act (ADA) will affect the criminal justice system, focuses on providing services to inmates.

Compliance with the ADA affects the delivery of programs, services, and activities offered to inmates and their visitors, including family members, attorneys, clergy, counselors, and probation/parole officers. Inmates and visitors must be provided access to any program, service, or activity to which inmates and visitors without disabilities have access. Key highlights include:

- It is critical for administrators to develop written policies and procedures consistent with the ADA and have them in place before a problem arises.
- Reasonable modification of policies, practices, and procedures is necessary to avoid screening out inmates with disabilities from participating in programs and receiving services.
- Correctional facilities must provide "program access," i.e., ensuring that each service, program, or activity is readily accessible to and usable by individuals with disabilities. This standard must be

applied to architectural features and all new construction and alterations to existing structures.

- Effective auxiliary aids (e.g., assistive listening systems, TDD's, qualified sign language interpreter, recorded books, and books in braille) must be provided to inmates where necessary to give them equal access to the facility's programs, services, or activities.

- Classification decisions (e.g., determining least restrictive custody) should be based solely upon risk factors relevant to the facility where the inmate is incarcerated.

- In general, ADA requirements do not apply when their exercise would fundamentally alter the nature of the program, service, or activity or create an undue financial or administrative burden. Undue burden can mean a significant expense or difficulty or a disruption or fundamental alteration of the nature of the agency.

- Eligibility requirements for such activities as educational programs, drugs and alcohol counseling, work programs, and boot camps that eliminate or tend to eliminate inmates with disabilities may not be imposed unless it can be shown that such requirements are necessary for the provision of the service.

These issues and their implications are detailed in this Research in Action.

create a direct threat to the safety of others. The law defines direct threat of serious harm as a "significant risk to the health and safety of others that cannot be eliminated by reasonable accommodation." Such a determination must be predicated on objective evidence; speculative or remote threats will not suffice.

Second, because integration into the mainstream of society is a cornerstone of the ADA, services, programs, or activities that segregate persons with disabilities should be avoided.⁵ A government agency such as a jail, detention center, or prison may, however, offer a separate or special program "when necessary to provide individuals with disabilities an equal opportunity to benefit from the programs."⁶ So, for example, it may be permissible for a prison to sponsor a separate basketball league for inmates who use wheelchairs.

Policies and procedures. In evaluating services, administrators should ask: Are there policies, practices, or procedures that screen out inmates with disabilities from participating in programs? If the answer is "yes," reasonable modification to those policies or procedures may be necessary to avoid discrimination. Modifying a policy, practice, or procedure will not be required, however, if doing so would fundamentally alter the nature of the service, program, or activity.

Fundamental alteration of a program may occur when the modification is such that it changes the very nature of the program so that the facility would, in effect, be offering a different kind of program. For example, if a prison offers courses for college credit that require certain prerequisite courses not offered on the premises, the facility would not be required to offer them to inmates with disabilities who had not taken these prerequisite courses. To require the facility to offer such prerequisites would, in effect, require it to offer a completely different course.

Architectural barriers and "program access." The second aspect for evaluation under Title II involves access. A public

However, as indicated in the definition of "qualified individual with disability," whether or not an inmate meets essential eligibility requirements for a particular program or activity is a decision that requires corrections administrators to evaluate that facility's rules, policies, and practices; architectural, communication, and transportation barriers; and policies for providing auxiliary aids and services. Administrators also must assess the impact of each on the ability of a prisoner to par-

ticipate in programs, services, and activities conducted by the facility.

General guidance. The basic requirements of the ADA, as applied to providing inmate services, are discussed below. In applying these requirements, administrators should keep in mind some general guidance.

First, providing equal access to the facility's programs, services, or activities will never require the corrections agency to

entity may not deny the benefits of its programs, activities, and services to individuals with disabilities because its facilities are inaccessible. Contrary to common belief, however, the ADA does *not* require that correctional institutions retrofit all their existing facilities to a new ADA standard. What the ADA *does* require is that a facility operate each service, program, or activity it offers so that, when viewed in its entirety, the service, program, or activity is readily accessible to and usable by individuals with disabilities. This standard, known as "program access," applies to all new construction and alterations to existing structures.

As a practical matter, corrections administrators will need to evaluate each service, program, and activity conducted at or offered by their institutions. If, when viewed in their entirety, these services, programs, or activities are not physically accessible to inmates with disabilities, then alternative methods of providing access should be considered.

Achieving program accessibility may mean relocating services and activities from an inaccessible site to one that is accessible, redesigning equipment, providing auxiliary aids for disabled beneficiaries of city correctional programs, and altering an existing structure.⁷ The ADA recognizes that total structural access may not be possible and allows for use of "alternative methods of ensuring opportunities to participate in the program."⁸

Providing program access is not required if it would fundamentally alter the nature of the program, service, or activity, or if it would cause undue financial and administrative burdens on the governmental entity. Undue burden means significant expense or difficulty, and is not limited to money. Undue burden can also mean disruption or fundamental alteration of the nature or operation of the agency. For purposes of determining whether an undue burden would be created, the resources of the entire governmental entity under which the facility

operates is considered and not just the resources of the facility itself.

Communications. The third area in evaluating program access is that of communication. Effective auxiliary aids must be provided to inmates where necessary to give them equal access to the facility's programs, services, or activities. This requirement does not apply, however, when doing so would fundamentally alter the nature of the program, service, or activity, or cause an undue financial and administrative burden.

A correctional facility must ensure that its communications with individuals with disabilities are as effective as its communications with others. When necessary to provide an individual with a disability an equal opportunity to participate in, and enjoy the benefits of programs, auxiliary aids and services should be provided at the facility's expense. This provision of the ADA applies only to individuals with hearing, vision, or speech impairments.

For persons who are deaf or hard of hearing, examples of auxiliary aids include assistive listening systems and telecommunication devices for the deaf (TDD's). Qualified readers and taped texts are examples of auxiliary aids for individuals with vision impairment, and for those with speech impairments, TDD's and communication boards qualify as auxiliary aids.

The type of auxiliary aid or service necessary to ensure effective communication will vary depending on the length and complexity of the communication involved. In routine matters, for example, the exchange of written notes with a deaf prisoner may be sufficient. However, where communication is more complex, extensive, or significant—for example, during classes, counseling sessions, or disciplinary proceedings—a qualified sign language interpreter may be required.

It is critical for administrators to develop written policies and procedures consistent with the ADA and have them in place before a problem or special need of an

inmate or an arrestee arises. Examples might include having a list of certified sign language interpreters who can be called on short notice, having the necessary number of TDD's and personnel trained to use them, and making information available to staff on ways to locate books in braille or on tape.

Assessing inmates during intake

Intake is the process during which inmates or arrestees entering the correctional facility are evaluated. In particular, several issues are addressed:

- **Risk assessment.** Does the arrestee or inmate pose an imminent danger to himself or herself or others?
- **Pretrial release.** Is the arrestee eligible for pretrial release?
- **Medical screening.** Does the arrestee or inmate have any infectious diseases or medical conditions requiring immediate attention?
- **Classification.** What is the appropriate housing assignment for this individual?
- **Needs assessment.** What is the individual's interest, ability, and eligibility status regarding participation in the facility's various programs, services, and activities?

When addressing these issues problems sometimes occur. Evaluations may take place at various times during the intake process and may be conducted by different staff members in separate parts of the jail, prison, or detention center. In addition, not all ADA-defined disabilities are manifest, that is, obvious to the evaluator. Many, including diabetes, cancer, epilepsy, or HIV disease, are hidden or may not have visible symptoms.

How does the ADA affect this vital and necessary part of corrections operations? Here are some suggestions:

- Corrections administrators should keep in mind that information aimed at identifying inmates with disabilities should have a

legitimate purpose in the context of institutional settings. Administrators should obtain information that is genuinely necessary for the safe operation of the facility.

- Avoid using information obtained during intake as a basis for segregating prisoners with disabilities solely on the basis of the disability. Mistakes in classifying an inmate will not protect the facility from a claim of disability discrimination.

- Disability-related inquiries should include advising inmates of the facility's commitment to compliance with the ADA. Inmates with disabilities should be involved in the process of determining what accommodation to make so as to enable the inmate to participate in the facility's programs, services, or activities.

- Sound prison practices require that all medical information obtained from the prisoner be kept confidential, separate from other prisoner information, and disseminated only on a *need-to-know* basis.

- The facility should have written policies and procedures governing the intake process, and these should be distributed to all intake personnel.

Classification decisions

The classification process determines "the needs and requirements of those for whom confinement has been ordered and for assigning them to housing units and programs according to their needs and existing resources." Classification decisions about an inmate include determining the least

restrictive custody for an inmate. This process should be based solely upon risk factors shown to be relevant to the particular facility where the inmate is incarcerated. Some factors that might be considered include current criminal charge(s), past criminal charges, incidents of escape or attempted escape, and past institutional behavior.

Facilities that have further analysis or documented information on the inmate's behavior might also add such items as prior drug or alcohol use, age, and level of education. It should be noted that drug or alcohol addicts who have successfully completed a rehabilitation program or are currently in a rehabilitation program are considered persons with disabilities under

Questions Most Frequently Asked...

1. Does the ADA apply to corrections facilities?

Yes. Title II of the ADA applies to all public entities including State and local governments and the agencies that operate under their auspices. This includes jails, detention centers, and prisons. This section of the law covers all programs, services, and activities provided by the State or local government through its agencies.

2. Do short-term holding facilities (i.e., less than 1 year) have fewer obligations under the ADA than long-term facilities?

The ADA applies regardless of how long an inmate with a disability remains in custody. However, the length of an inmate's incarceration would certainly be a consideration in evaluating whether or not a modification to a facility's policies, practices, or procedures would fundamentally alter the nature of the service, program, or activity. Remember also that while public entities are not generally required to provide personal devices (for example, wheelchairs or hearing aids) or personal services (for example, attendants), this is not true for correctional facilities and other custodial entities.

3. During an intake evaluation, can an inmate be asked if he or she is HIV positive or has AIDS?

Public entities may not make unnecessary inquiries into the existence of a disability. If it is necessary to know whether an inmate who uses a wheelchair can perform manual work to determine eligibility for inmate work programs, then it might be permissible to ask. However, if asking about this disability is done as a general matter and not in connection with providing services, it could be challenged under the ADA as irrelevant. As a good practice, the agency should also be sure that medical information about inmates, such as their HIV or AIDS status, remains separate and confidential.

4. Is the correctional facility required to provide a sign language interpreter for a hearing-impaired inmate who wishes to attend Alcoholics Anonymous (AA) or Narcotics Anonymous meetings? What if the inmate's attendance at these meetings is court-ordered?

Generally, the corrections facility will be required to provide effective communication through auxiliary aids and services that enable the inmate to participate in such meetings in a meaningful way. This is true regardless of whether attendance is mandatory (court-ordered) or voluntary. An inmate cannot be required to pay the

costs of auxiliary aids required by the ADA.

Remember, auxiliary aids that are *effective* are required. When interacting with deaf or hard-of-hearing inmates, writing notes for short exchanges may be effective, but for interactions such as an AA meeting, disciplinary hearings in which the inmate may lose privileges, participation in the facility's GED programs, or visits with an attorney, interpreters will most likely be more appropriate. Primary consideration must be given to the request of the person with the disability.

5. Does the ADA require that a law library contain duplicate volumes in braille to accommodate inmates with vision impairments?

Correctional facilities are only required to provide auxiliary aids and services when necessary to enable an inmate with a disability to participate in programs, services, and activities. Doing so will not be required if it fundamentally alters the nature of the program, service, or activity or if it causes undue financial and administrative burdens on the agency. An undue burden is significant difficulty or expense based on all of the resources available for use in the program. While duplicating an entire library might constitute an undue burden, printing relevant cases or portfolios of books might be in order. Similarly, it

the law. On the other hand, mere use of drugs or alcohol and related criminal convictions, including possession and sale will not invoke the ADA.

Most classification systems, especially objective systems, include an opportunity for staff to override a classification decision made even when based on objective information. Reasons for overriding an objective classification decision may be information such as mental health concerns, acute medical problems, suicide risk, and detoxification status. Any one of these conditions may make the housing placement decision indicated by objective classification procedures unadvisable. The override process allows for extenuating circumstances and permits case-by-case

determination of an inmate's housing assignment.

Before invoking an override, the ADA should be considered. For example, policies relegating all inmates using wheelchairs to a particular part of the facility may violate the law. Because the ADA seeks to integrate persons with disabilities into the mainstream of society, it may be inappropriate to place all wheelchair users together. While it may be appropriate to place inmates using wheelchairs in first floor locations so they can be evacuated safely in the event of fire, these locations should be scattered among the various first floor housing units to the extent possible.

If an inmate's disability is a factor in making a housing decision, this situation

should be handled during the override phase of the classification process because inmates with disabilities are not routinely housed separately; rather, they are considered on a case-by-case basis. In other words, the same classification process should apply to inmates with disabilities and inmates without disabilities. An override may be used if there is a valid reason for not placing an inmate with a disability in the same housing unit as inmates without disabilities—even when the disabled individual is in the same classification status, i.e., dangerous or suicidal. Valid reasons for segregating inmates with disabilities include the determination that a particular inmate poses a direct threat to the safety of others or has requested to be segregated. It is important that the

might be possible to provide persons to read to visually impaired inmates, or recorded books. Auxiliary aids need only provide equal opportunity to participate in a program, service, or activity. They do not have to be the most expensive accommodation.

6. Would a program that gives credit toward early release based on hard manual labor violate the ADA because it screens out inmates whose disability prevents them from participating in this program?

Probably. This is also a matter for consideration for the "boot camp" programs that are gaining popularity in many States and localities. Remember, this may be a denial of equal opportunity for inmates with disabilities to benefit from participation in this type of program, service, or activity.

One solution is to find another way for inmates who cannot participate in "hard labor" to get good time credit by performing other tasks. For example, inmates with mobility impairments might be able to work as readers for inmates with vision impairments; inmates with vision impairments might be able to earn credit by working in the laundry.

7. Can all inmates with disabilities be put in the same cell block? In other

words, can I dedicate a corrections facility to persons with disabilities?

Generally, no. Remember, one of the goals of the ADA is to integrate persons with disabilities into the mainstream of society. This includes a community within a society, even a prison community. Inmates with disabilities should be classified and housed the same as inmates without disabilities with the same classification status *unless* housing the inmate in that location would pose a direct threat to the safety of staff or other inmates. Of course, the ADA does not require the integration of vulnerable prisoners who prefer to be segregated.

Inmate classification systems may consider an inmate's disability as an override to change housing location if a threat exists, but disability should not be a primary factor in determining the inmate's classification.

8. May inmates with mobility impairments be put together on the first floor for easy evacuation in case of fire?

Safety issues will permit some flexibility in segregating inmates with disabilities. Although it is possible to keep inmates with mobility impairments in ground floor accommodations for safer evacuation purposes, it is a good idea to integrate these inmates among other inmates on the ground level.

9. Does the ADA give inmates working in correctional facilities rights as employees under Title I?

Probably not. Two Federal courts recently held that inmates working for prison industries were not entitled to minimum wage under the Fair Labor Standards Act. The courts reasoned that there is no employee-employer relationship between an inmate and the correctional facility for which he or she performs hard labor. It would seem that, by analogy, the same could apply to the ADA. However, no court has yet addressed this issue specifically.

10. How does the ADA affect the providing of special education services to inmates over the age of 22?

The ADA does not preempt other Federal or State laws to the extent that those laws meet the ADA requirements or expand upon them. While the ADA was probably never meant to encompass special education, it does require reasonable modifications to be made regardless of the individual's age.

Remember, any classes offered, whether special education or otherwise, need to be accessible to inmates with disabilities who wish to participate. Access includes physical accessibility; the ability to participate in the program, service, or activity; and effective communication.

justification for an override be based on objective information, not mere speculation. It is a good idea to document all classification decisions as well as any reasons for exercising an override.

Inmate programs

Inmate assessment and classification are not the only areas in which corrections administrators need to be knowledgeable. The ADA has a significant effect on how the facility delivers its programs, services, and activities to inmates with disabilities.

Programs offering high school or college classes, drug or alcohol counseling, art therapy, inmate work programs, work release programs, boot camps, or religious programs must be accessible to inmates with disabilities so that they may participate meaningfully. Eligibility requirements may not be imposed that eliminate or tend to eliminate inmates with disabilities unless it can be shown that such requirements are necessary for the provision of the service.¹⁰

Educational programs. Corrections facilities may establish whatever eligibility requirements are necessary for the provision of the service, program, or activity being offered. For example, a program offering inmates the opportunity to participate in college classes for credit might require the inmate to have a high school diploma or a General Equivalency Diploma (GED). An inmate with a disability who has not completed high school or a GED program might be excluded from this program without violating the ADA.

On the other hand, a facility offering high school equivalency programs may need to modify its policies and procedures to enable inmates with learning disabilities to obtain the GED if they cannot finish high school or get a GED due to the disability.

But what if the facility did not have any high school equivalency programs? Would the ADA require the facility to create such a program to accommodate an inmate with a disability who wants to participate in its college credit program but did not have a

high school equivalency degree? Probably not. This might constitute a fundamental alteration of the program since it would require the facility to offer a different program than college-level classes, i.e., a GED. In most cases, prisons and jails are not required to institute programs for inmates with disabilities, but should focus on making the programs they do offer accessible to inmates with disabilities.

Likewise, a requirement that inmates be able to attend classes in a place that is not architecturally accessible might violate the ADA if an affected inmate wishes to participate. In that case, the facility must relocate the class to an accessible place unless it can show that relocation would result in undue financial and administrative burdens or a fundamental alteration in the nature of the program.

Drug and alcohol treatment. Facilities that offer drug and alcohol rehabilitation through programs such as Alcoholics Anonymous or Narcotics Anonymous should ensure that they are accessible to any inmate wishing to participate. In the case of inmates who are deaf or hard of hearing, this might include making a sign language interpreter available.

Library services. Inmates who are blind or visually impaired should have access to use of the facility's library. This could be achieved by providing books on tape, qualified readers, or books in braille. Creativity can go a long way in accommodating inmates with disabilities. For example, asking other inmates to be readers for a blind inmate might be one way to make the library accessible.

Inmate work programs. Many correctional facilities offer programs in which inmates can earn early release in exchange for work. Often the work involves strenuous physical labor. Obviously, there are inmates with disabilities who cannot perform hard labor. What implications would the ADA have in such a case?

While a corrections facility is free to establish eligibility requirements for a program that has the potential to result in

early release, release from prison or jail constitutes such an important benefit that it may be improper to exclude inmates with disabilities from participating. This may constitute a denial of an equal opportunity to benefit from the program. This example might be one in which corrections administrators would be required to create a program where none currently exists. This is another instance where creativity might go a long way in developing accommodation for including inmates with disabilities. For example, inmates who use wheelchairs may perform work by serving as readers for inmates who are blind or who have a reading disability.

Similarly, facilities should consider the ADA when evaluating "boot camps," or shock incarceration programs. Typically, boot camps offer the opportunity for early release to youthful offenders convicted of certain offenses, in exchange for hard labor and participation in strenuous physical exercise. As in the case of early release programs for adult inmates, these programs for youths should consider ways to allow youthful offenders with disabilities the opportunity to earn early release and reap the other benefits of the boot camp approach.

Visitors to correctional facilities

Compliance with the ADA is not limited to an agency's treatment of inmates or corrections employees. Prison and jail administrators should be aware that visitors and others who come into the facility for a legitimate purpose must be provided access. Attorneys, clergy, counselors, probation and parole officers, and family members who may have a disability should be provided access to any program, service, or activity to which visitors without disabilities have access. For example, even if the facility does not have an inmate who is deaf or hard of hearing, an inmate may have a family member who is deaf or hard of hearing. In that case, the facility may need to make a TDD available to that inmate so he or she can communicate with family members.

Notes

1. National Council on Disability, "ADA Watch—Year One: A Report to the President and Congress on progress in Implementing the Americans With Disabilities Act," April 5, 1993, p. 38.

2. *Id.*

3. *Id.*

4. Department of Justice's Title II Technical Assistance Manual (DOJ/TAM), Section II-2.1000.

5. DOJ/TAM, Section II-3.4000.

6. DOJ/TAM, Section II-3.4100.

7. Goldman, Charles R., "Complying with the ADA," *Nation's Cities Weekly*, April 27, 1992.

8. *Id.*

9. American Correctional Association, *Standards for Adult Local Detention Facilities*, Third Edition, p. 131.

10. 28 C.F.R. Section 35.130(b)(8); DOJ/TAM, Section II-3.5100.

11. 28 C.F.R. Section 35.160(b)(2); DOJ/TAM, Section II-7.1100.

Paula N. Rubin, a lawyer, is a Visiting Fellow at the National Institute of Justice, coordinating NII's initiative to research, develop, and deliver publications and training for the criminal justice system on the Americans With Disabilities Act as well as other human-resources management issues. Susan W. McCampbell is the Commander of the Inmate Services Division for the Alexandria, Virginia, Office of the Sheriff.

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NCJ 148139

July 25, 1994

To: Carol H. Rasco

From: Stan Herr

Re: Some of the Administration's ADA Accomplishments

THE AGENCIES' STATUTORY RESPONSIBILITIES AND ACCOMPLISHMENTS

The ADA divides implementation responsibilities among five agencies: the Department of Justice, the Equal Employment Opportunity Commission, the Federal Communications Commission, the Department of Transportation, and the U.S. Architectural and Transportation Barriers Compliance Board [hereinafter the Access Board]. This memorandum highlights the respective duties and accomplishments of these five agencies in respect of the President's directive to "fully implement and aggressively enforce" the ADA.

1. Department of Justice.

Duties. DOJ has responsibility for enforcement of Title III (public accommodations) of the ADA, and shared jurisdiction over complaints concerning State and local government actions under Title II. The Attorney General has also promulgated regulations on Title II (other than transportation matters reserved for the Secretary of Transportation). Such regulations are to be consistent and coordinated with Section 504 regulations under the Rehabilitation Act.¹

Accomplishments. DOJ currently allocates Title III work to its Public Access Section in the Civil Rights Division and Title II to its Coordination and Review Section. DOJ now assigns 50 professional staff to ADA matters, but acknowledges that this is too small a complement for the load of complaints they receive. They recently added 10 people to a telephone hotline for advice and technical assistance (circa February 1994), and added 5 attorneys to the Public Access section (circa October 1993). They have entered over 150 Title III and 100 title II formal and informal settlement agreements. Some of their notable successes include:

- the availability of sign-language interpreters and other auxiliary aids to permit deaf students in review courses for professional licensure to learn and communicate effectively.²

- settlement without litigation of a complaint that emergency medical technicians had refused to assist an individual with HIV, with the settlement requiring the training of the technicians and the issuance of a new policy that persons with

HIV/AIDS are entitled to benefit fully from emergency medical services.³

- settlement of physical accessibility complaints related to ensuring access to public areas of the Empire State Building, including the lobby, observation decks, restrooms and telephones.⁴ (A DOJ official quite aptly referred to this as "a high-profile case.").

2. The Equal Employment Opportunity Commission.

Duties. EEOC is charged with the enforcement of the employment sections (Title I) of the ADA, which prohibits discrimination against people with disabilities in private sector employment and in public sector jobs in state and local governments.

Accomplishments.

- Although the underlying law is a bit murky, the EEOC has had some early successes in obtaining consent agreements or preliminary rulings in ADA-based AIDS bias claims against health insurers.⁵

- The EEOC's new Alternate Dispute Resolution (ADR) program seeks to settle ADA and other civil rights disputes in a timely and cost-effective manner, without resort to litigation.

- This pilot mediation program in the private sector involving 398 charging parties resulted in 82% of them accepting the offer, but only 62% of the respondents resulting in 201 sets of parties willing to undertake mediation.

- EEOC scored a notable success in its first ADA court battle.⁶ That case involved a jury award of back pay, compensatory damages, and punitive damages to an executive in a security investigations firm who was fired because he had cancer notwithstanding his ability to perform the essential functions of his job.⁷ The court's judgement also barred retaliation for bringing an ADA claim or assisting another as a witness in a claim, gave notice to other employees of their ADA rights and the employer's violation of this particular executive's rights, and required such notice in the company's employee handbook or training manual.⁸

- EEOC also filed suit in September 1993 on behalf of a foreman who returned from an approved 13 week disability leave for his back condition, but was not reinstated because of the employer's that would experience difficulty with its insurance coverage. The EEOC alleges that the employee was fired despite his willingness to demonstrate that he could perform the essential functions of his job, and that is considering filing a similar suit against another Michigan employer.⁹

3. Department of Transportation.

Federal activities to improve transportation accessibility are one of the least heralded, but most important aspects of ADA implementation. The ADA is only one source of statutory authority for such accessibility. The Air Carrier Access Act of 1986 and the Rehabilitation Act of 1973 (Section 504) also undergird efforts to create a barrier-free environment and ensure that travelers with disabilities will be treated without discrimination in mass transit, intercity rail service, intercity buses, federally aided streets and highways, maritime transport, and aviation. Without access to the nation's transportation system, Americans with disabilities are unable to reach their jobs and places of educational, cultural, and social opportunities.

Accomplishments.

DOT can point to many solid gains, such as:

- every Federally-subsidized mass transit system provides some type of accessible services usable by passengers with disabilities.

- about half of the nation's 52,500 fixed route buses in urbanized areas, i.e., 26,000 buses are now lift- or ramp-equipped (versus 35% pre-ADA).

- all 8,106 rapid railcars are accessible to wheelchair users.

- over 104 of the 540 ADA paratransit areas planned to be in compliance by the end of 1993, with some 440 expecting to be in full compliance by the end of 1996 (only two areas have so far requested a waiver due to financial burden).

- Amtrak service is becoming accessible, with 47 accessible Superliner cars received as of May 1994 and anticipated statutory compliance of the one accessible car per train per the ADA's July 1995 deadline.

- Steps are being taken to improve street and highway accessibility features such as curb cuts, ramps, or other sloped areas, and regulations on signage, emergency road-side call boxes, and other items in public rights-of-way.

4. The Federal Communications Commission.

The FCC is responsible for assuring that telephone companies provide relay services for communicating by and with people who use TDDs. It is also charged with oversight of television stations that are required to transmit certain public service announcements with closed captioning.

Accomplishments.

- Telephone relay systems now operate in all 50 states and the District of Columbia.
- TTD machines are increasingly found in transit facilities and other places to aid deaf and hard-of-hearing individuals.

5. The Access Board.

This Board describes the ADA as its number one priority. Under the ADA, the Access Board has multiple responsibilities: implementing a technical assistance plan on Board guidelines for the transportation and public accommodations ADA titles; developing accessibility guidelines for transit facilities and vehicles, commercial facilities and public accommodations, children's environments, and recreation facilities; and producing technical assistance manuals and guidelines for accessibility of State and local government facilities, and public accommodations.

Accomplishments.

- developing accessibility guidelines (ADAAG) for buildings and facilities, for transportation vehicles, and for automated teller machines at banks.
- technical assistance and training program targeted for architects, designers, the construction industry, and State and local government officials through approximately 75 training sessions, the distribution of 12,600 information packets, and responses to some 18,000 telephone calls.

There are other ADA activities in the Federal government of note. For instance, the Department of Education (NIDRR) has an extensive network of ADA Technical Assistance Initiative programs. The President's Committee on Employment of People with Disabilities and the National Council on Disability have also been active in publicizing and monitoring the Act's provisions, and conducting roundtables with business and disability community leaders to improve the ADA's implementation. Finally, it should be noted that the Federal government has a full range of antidiscrimination requirements for federal contractors, federally assisted programs, and the federal government itself under the Rehabilitation Act of 1973.

This information was gathered over several months, and the agencies mentioned may have more updated and complete outlines of their ADA-related accomplishments (esp. the FCC and Access Board).

Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. list	EEOC ADA Staff to be Invited to the ADA Celebration; RE: Personally Identifiable Information [partial] (1 page)	07/25/1994	b(6)

COLLECTION:

Clinton Presidential Records
Cabinet Affairs
Jennifer O'Connor
OA/Box Number: 4965

FOLDER TITLE:

Americans with Disabilities Act

2007-0143-F
db4476

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or
financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President
and his advisors, or between such advisors [(a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of
personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed
of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C.
2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of
an agency [(b)(2) of the FOIA]
b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
b(4) Release would disclose trade secrets or confidential or financial
information [(b)(4) of the FOIA]
b(6) Release would constitute a clearly unwarranted invasion of
personal privacy [(b)(6) of the FOIA]
b(7) Release would disclose information compiled for law enforcement
purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of
financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information
concerning wells [(b)(9) of the FOIA]

KEY EEOC ADA STAFF TO BE INVITED TO THE ADA CELEBRATION

1. Elizabeth Thornton - 663-4503
2. Peggy Mastroianni - 663-4600
3. Sharon Rennert - 663-4868
4. David Fram - 663-4503
5. Lyn McDermott - 663-4503
6. Linda Wilson - 663-4818
7. Sharon Wilkin - 663-7503
8. Harriet Hartman - 663-4061 (TDD), 4883 V
9. Sandy Ziegler - 663-4503
10. Kathleen Courtney - 663-4503
11. Irene Hill - 663-4503
12. Shavon Williams - 663-4503
13. Lucious Brown - 663-4503
14. Mike McCarty - 663-4503
15. Karen Swilling - 663-4503

Claire Gonzalez - 663-4915 (Director, Office of Leg Affairs & Gen)

Ellen Vargas - 328-5160 (Legal Counsel Designee)

Julie Pershore - 663-4937 (Schedule C)

Gil Casellas - 663-4915 (Chairperson designee)

(Handwritten notes and signatures)

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. memo	Jennifer O'Connor to Robin Dickey; RE: Personally Identifiable Information [partial] (1 page)	07/26/1994	b(6)

COLLECTION:

Clinton Presidential Records
Cabinet Affairs
Jennifer O'Connor
OA/Box Number: 4965

FOLDER TITLE:

Americans with Disabilities Act

2007-0143-F
db4476

RESTRICTION CODES

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- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

July 26, 1994

MEMORANDUM FOR ROBIN DICKEY

FROM: Jennifer O'Connor 

SUBJECT: Departmental additions to the invite list

(I have gotten tickets to these individuals and they are confirmed. They are most of the extra departmental staff who we spoke about yesterday. There will be a few more but I am confirming and getting dates of birth and social security numbers for you and I will fax over then.)

John Schmidt

(b)(6)

[002]

John Wodatch

(b)(6)

Cathy Blise

(b)(6)

Albert Conte

(b)(6)

Claiborne Haughton

(b)(6)

Judith Gilliom

(b)(6)

Dinah Cohen

(b)(6)

Gary Blumenthal

(b)(6)

PLEASE HAVE GUESTS
ARRIVE BY 9:15 AM.

THANKS.

REQUEST FOR APPOINTMENT PARKING

**THIS FORM MUST BE COMPLETED AND SENT BY FAX
TO EXT. 1655 AT LEAST 2 HOURS IN ADVANCE.
(3:00 p.m. on Friday for Weekend Parking)**

Date

7-26-94

Requestor's Name

Christine Varney (Jennifer O'Connor for)

Requestor's Office

Cabinet Affairs

Phone Extension

6-2572

Room No.

111 OEOB

Date Parking Needed

7-27-94

Name of Driver

Andrew Andrews

Make of Car

94 Mercury Grand Marquis

State and License No.

DC 048580

Time of Arrival

10¹⁰ am

Time of Departure

11³⁰ am

**IT IS YOUR RESPONSIBILITY TO CONTACT
WAVES FOR ALL PASSENGERS ARRIVING IN THE CAR.**

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003. form	Memorandum of Call; RE: Personally Identifiable Information [partial] (1 page)	00/00/0000	b(6)

COLLECTION:

Clinton Presidential Records
Cabinet Affairs
Jennifer O'Connor
OA/Box Number: 4965

FOLDER TITLE:

Americans with Disabilities Act

2007-0143-F
db4476

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

[003]

MEMORANDUM
OF CALL

Previous editions usable

TO: Deval Patrick

☐ YOU WERE CALLED BY ☐ YOU WERE VISITED BY

OF (Organization) (b)(6)

☐ PLEASE PHONE ☐ FTS ☐ AUTOVON

☐ WILL CALL AGAIN ☐ IS WAITING TO SEE YOU

☐ RETURNED YOUR CALL ☐ WISHES AN APPOINTMENT

MESSAGE

Joe Duffy:

(b)(6)

Andrew Andrews (his driver):

(b)(6)

License #: 048580 '94 Mercury

RECEIVED BY Grand DATE Margolis TIME

63-110 NSN 7540-00-634-4018 STANDARD FORM 63 (Rev. 8-81)
Prescribed by GSA
FPMR (41 CFR) 101-11.6

MEMORANDUM
OF CALL

Previous editions usable

TO: Jennifer

☐ YOU WERE CALLED BY ☐ YOU WERE VISITED BY

Jennifer in Rep. Sten's office
OF (Organization)

☐ PLEASE PHONE ☐ FTS ☐ AUTOVON

☐ WILL CALL AGAIN ☐ IS WAITING TO SEE YOU

☐ RETURNED YOUR CALL ☐ WISHES AN APPOINTMENT

MESSAGE

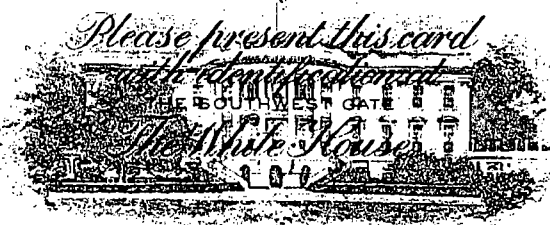
Helen Mitchell

(b)(6)

RECEIVED BY DATE TIME

63-110 NSN 7540-00-634-4018 STANDARD FORM 63 (Rev. 8-81)
Prescribed by GSA
FPMR (41 CFR) 101-11.6

Frank Kreusi



NOT TRANSFERABLE

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
004. memo	Paul Steven Miller to Jennifer O'Connor; RE: Personally Identifiable Information [partial] (1 page)	07/25/1994	b(6)

COLLECTION:

Clinton Presidential Records
Cabinet Affairs
Jennifer O'Connor
OA/Box Number: 4965

FOLDER TITLE:

Americans with Disabilities Act

2007-0143-F
db4476

RESTRICTION CODES

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- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

July 25, 1994 at 5:47 p.m.

UNITED STATES OFFICE OF CONSUMER AFFAIRS

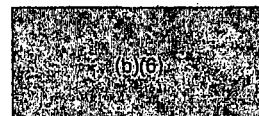
TO JENNIFER O'CONNOR
FROM: PAUL STEVEN MILLER
Tel: 395-7900

Here are some additional names for the ADA Event from EEOC:

ADA Policy Division, OLC 663-4503
Naomi Levin

Policy Coordination Division, OLC 663-4689
Carol Miaskoff
Sheila Duston
Art Jefferson
Jeffrey Rosen
John Gwynn
Verna Irman

[004]

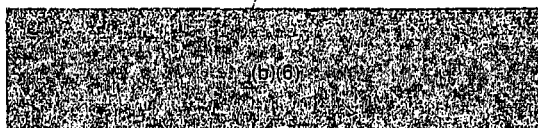


Gary Blumenthal

Res' Commiss. Mental Retardation

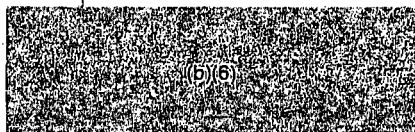
619-0634

✓ ✓ John Schmidt
✓ ✓ John Wodatch



202 514-9500

✓ Cathy Blise - in Shalala's office
c/o Virginia Cox



Separately

- Deval Patrick
- Jim King
- Duffy

Ann Rosenwasser



Call Steve Hark
to get phone #
to get DOB



✓ ✓ Norma Cantre (Educ)
✓ Helen Mitchell 482-5691

✓ Frank Kreusi
DOT

✓ ✓ DOB list - Fred Haggard

Clinton Library Photocopy

July 19, 1994 ✓

MEMORANDUM FOR DANA HYDE AND JENNIFER OCONNOR

FROM: Mike Lux and Debbie Fine

SUBJECT: Report from National Council on Disability

The National Council on Disability is an appointed council that advises the President and Congress on issues impacting people with disabilities. In March and April the Council organized five town hall meetings (in targeted regions) as a forum for people with disabilities to discuss the health proposals that were under consideration on the Hill. The Council would like to present its findings to an Administration official on the 26th (next Tuesday), which as you know is the 4th anniversary of enactment of the ADA. We are currently exploring other dates with them, although they are planning to distribute copies of the report to people in town for the ADA event at the White House on the 27th and to Members of Congress.

Attached is a letter of transmittal from NCOD that they plan to attach to the report. Please let us know if you have any thoughts.

cc: Dwight Holton

LETTER OF TRANSMITTAL

July 26, 1994

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

Today, as we celebrate the 4th anniversary of the signing of the Americans with Disabilities Act (ADA), I am pleased to submit to you the Council's report entitled *Making Health Care Reform Work for Americans with Disabilities. Summary Information on Five "Town Meetings" on Health Care Reform: A Report to the President and the Congress of the United States.*

As the original author of the ADA, the National Council on Disability is deeply concerned that ADA's promise of full equality to 49 million Americans with disabilities cannot be kept if we lose the battle for health care reform.

During March and April of this year, the National Council on Disability held five "town meetings" across the United States in order to provide persons with disabilities with an opportunity to express their views on the various proposals for health care reform which are currently being considered by the Congress. This document represents the opinions of over 130 witnesses and the hundreds of people who attended these town meetings. We were able to identify the health care priorities of Americans with disabilities. They can be summarized as follows:

- ♦ **Universal coverage** -- lifetime coverage that can't be taken away, portability and coverage which does not exclude people because of pre-existing conditions.
- ♦ **Comprehensive defined benefits package** -- access to specialists; home and community-based long-term care and personal assistant services; durable medical equipment; prescription drugs; and rehabilitation and mental health services.
- ♦ **Affordability** -- persons with disabilities should not pay a disproportionate share.
- ♦ **Non-discriminatory** -- the health care system cannot discriminate on the basis of a disability.

The President

Page 2

The 49 million Americans with disabilities applaud your leadership on focussing our nation's attention on this crucial issue. We respectfully hope that this report will provide you and Members of Congress with information that will be useful in constructing a just and productive health care system for all.

Sincerely,

**Marca Bristo
Chairperson**

(The same letter of transmittal was sent to the President Pro Tempore of the Senate and the Speaker of the House.)

Meeting on July 21th, 1994
ADA Event on July 26

AGENDA

1. Stage Seating

Congressional

Foley
Gephardt
Mitchell
Harkin
Hoyer
Fish
Hatch

Cabinet

Reno
Riley
Shalala

ADA

Herman
Bristo
Coelho
~~Qam~~
Wright
Ogle

2. Pre-event photo-op - Debbie Fine

3. Media Affairs plan for interviews

4. Other issues

Per 2 → all!!
Duffy

Hermann
Dart
Krige
Jordan
Marshall
Chamberlain

**OFFICE OF THE SECRETARY OF DEFENSE**

WASHINGTON, DC 20301-1000

WHITE HOUSE LIAISON

07/25/94

TO: JENNIFER O'CONNOR**PHONE #: 456-2572****FAX #: 456-6704****FROM: FRED HAGGARD****PHONE #: (703) 693-0664****FAX #: (703) 693-6908****# of pages: 2****COMMENTS**

Following is the list of people from Defense to be cleared for the Celebration of the Americans with Disabilities Act. It would be great if we could get all four. Thanks for your help.

The document that accompanying this Facsimile Transmittal Sheet is intended only for the use of the individual or entity to whom it is addressed. This message contains information which may be privileged, confidential or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message of the intended recipient, you are hereby notified that any disclosure, dissemination, copying or distribution, or taking of any action in reliance on the contents of this communication is strictly prohibited.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
005. list	List for White House Celebration of the Americans with Disabilities Act; RE: Personally Identifiable Information [partial] (1 page)	07/27/1994	b(6)

COLLECTION:

Clinton Presidential Records
Cabinet Affairs
Jennifer O'Connor
OA/Box Number: 4965

FOLDER TITLE:

Americans with Disabilities Act

2007-0143-F
db4476

RESTRICTION CODES

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RR. Document will be reviewed upon request.

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**DoD List Submitted Through the
Architectural and Transportation Barriers Compliance Board
for White House Celebration of the
Americans with Disabilities Act
on July 27, 1994**

#1 Mr. Albert V. Conte
8421 Crowley Place
Alexandria, Virginia 22308

(b)(6)

[005]

#2 Mr. Claiborne D. Haughton Jr.
2502C S. Arlington Mill Drive
Arlington, Virginia 22206

(b)(6)

#3 Ms. Judith C. Gilliom
901 Arcola Avenue
Wheaton, Maryland 20902

(b)(6)

#4 Ms. Dinah Cohen
9709 Rossetti Court
Burke, Virginia 22015

(b)(6)

Give me
a call with
the results
(703) 693-0664

Mr. Conte will represent USD(P&R).
Mr. Haughton is the Acting DASD(EO).
Ms. Gilliom is the DoD Disability Program Manager.
Ms. Cohen is the Director of the DoD Computer/Electronic
Accommodations Program.

U.S. Office of
Consumer Affairs

Fax to : Jennifer O'Connor

Fax # : 456-6704

V : 456-2572

From : Paul Miles

V : 395-7900

Date : 7/25

Time : 3:35

pgs. 2
including cover sheet



657 C
657-4564

United States

Office of Consumer Affairs

1820 L St., NW, Washington, DC 20036 Fax # (202) 634-4135

TO: Jennifer O'Connor

Office telephone #: 456-2560 2983

FROM: Paul Miller

Office telephone #: 634-9610-5-7902

MESSAGE:

395-7900

Date: 7/15 Time: 6:45 Total pages: 7



MEMORANDUM
OF CALL

Previous editions usable

TO:

Julian

☐ YOU WERE CALLED BY--

☐ YOU WERE VISITED BY--

OF (Organization)

☐ PLEASE PHONE ►

☐ FTS

☐ AUTOVON

☐ WILL CALL AGAIN

☐ IS WAITING TO SEE YOU

☐ RETURNED YOUR CALL

☐ WISHES AN APPOINTMENT

MESSAGE

*Amb. Albright not to ADA
in NYC on 27*

RECEIVED BY

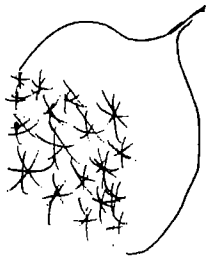
DATE

TIME

10:23

63-110 NSN 7540-00-634-4018 STANDARD FORM 63 (Rev. 8-81)

Prescribed by GSA
U.S. GOVERNMENT PRINTING OFFICE: 1961 281-781/40014 FPMR (41 CFR) 101-11.6



little
belly
not too
thin here
H BW 170/18 " 19

ADA

10th St gate

7/20

Yes

No

- ✓ ~~Brown, Jesse~~
- Tyson, Laura (tentative)
- ✓ Riley, Richard
- ✓ Reno
- ✓ ? Shalala
- ✓ ? Pena

- Babbit, Bruce
- Reich, Robert
- Cisneros, Henry
- Rivlin, Alice
- Rubin, Robert
- Bowles, Erskine
- ← Duffy, Joe
- Kantor, Mickey

will call back

never got information

- Christopher, Warren
 - Reno, Janet
 - Espy, Mike
 - Shalala, Donna
 - Pena, Federico
 - Albright, Madeleine
 - Panetta, Leon
 - King, Jim
 - Rasco, Carol
- yes ? - meeting w/

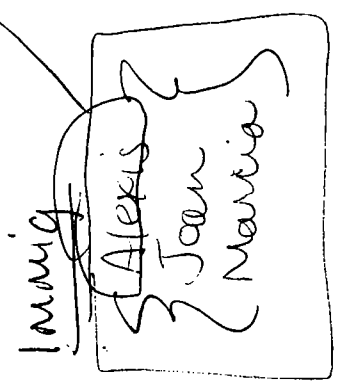
Bentsen, Lloyd

Jennifer,

They're going to get back to me. But, since I'm leaving in a few minutes, here's a list of who's doing what.

-Julian

Steve
Carol
mtg?



Inaug - DOD?

DODS 130

✓ Deval's office to
meet us

we
Brown?

E X E C U T I V E O F F I C E O F T H E P R E S I D E N T

15-Jul-1994 10:37am

TO: (See Below)

FROM: Lee A. Satterfield
 Appointments and Scheduling

SUBJECT: ADA Program

The following is the program for the ADA event. (Regardless of when it is)

1- Mrs. Clinton
2- VPOTUS
3- POTUS

We are limiting the speaking program to only the principals because of the expectation that it will be a scorcher of a day. Please explain this to each shop as it comes up with respect to including others on the program. (i.e.. Congressional, Cabinet) With that said, we realize that there are many folks who have a vested interest in this event and should be given fair recognition. (i.e.. Reno, Harkin, etc.) Please let me know by the end of today, what each of your offices suggests about who should be seated on the stage. This includes Congressional, Cabinet, and members of the disabled community. Limit the list, as much as you can, so that it truly is a special recognition. If you have any questions, please call me at x2920. Thanks.

Distribution:

TO: Deborah L. Fine
TO: Jennifer M. O'Connor
TO: Kathleen L. O'Neill

CC: Sarah F. Ryan
CC: Mike Lux
CC: Julia Moffett
CC: Dwight Holton

Meeting on July 20th, 1994
ADA Event on July 26

AGENDA

1. Guest List
Has everyone been included?
2. Stage seating
 1. Congressional
 2. Cabinet
 3. Disabled Community
3. Program
4. Pre-event photo op
5. Other issues

Peña?

Congress
Foley
Gep
Muhler
Hank
Hoyer
Fish
Hatch

**PRESIDENTIAL APPOINTEES WITH DISABILITIES
PUBLICLY ANNOUNCED**

7/15/94

APPOINTEE		POSITION			
Last Name	First Name	Title	Designation	Dept/Agency	Initial
Acheson	Eleanor D	Asst Atty Gen	(Legal Policy)	Justice, Department of	PAS
Alioto	Michele	Member		Disability, National Council on	PAS
Brickhouse	Eugene A	Asst Secretary	(Human Resources & Admin)	Veterans Affairs, Department of	PAS
Bristo	Marca	Chair & Member		Disability, National Council on	PAS
Brown	Jesse	Secretary		Veterans Affairs, Department of	PAS
Gutierrez	Ramon A	Member	(public)	Humanities, National Council on	PAS
Heumann	Judith	Asst Secretary	Special Educ & Rehab Service	Education, Department of	PAS
Huega	Jimmie	Member		Physical Fitness & Sports, Pres Cri On	PA
Jacobson	Neil	Vice-Chair		Employment of People with Disabilities, President's Cmte on	PA
Jordan	Barbara	Chair		Legal Immig Reform, Comm on	PA
Lindsay	Reginald C	Judge	01 Massachusetts	Judges, US District Court	PAS
Miller	Paul Steven	Commissioner		Equal Employ Opportunity Comm	PAS
O'Day	Bonnie	Member		Disability, National Council on	PAS
Schroeder	Fredric K	Commissioner	Rehabilitation Services Admin	Education, Department of	PAS
Starkloff	Max	Member		WH Fellowships, Pres Comm on	PA
Torres-Gil	Fernando	Asst Secretary	Aging	Health & Human Svcs, Dept of	PAS
Verderber	Nancy	Member		Presidential Scholars, Comm on	PA
Villines	Evelyne J	Member	("conversant re handicapped")	Purchase from People Who Are Blind or Severely Disabled, Committee on	PA
Vogel	Raymond J	Under Secretary	Benefits	Veterans Affairs, Department of	PAS
Walker	Hughey	Member		Disability, National Council on	PAS
Wedewer	Donald H	Member	(blind non-profit rep)	Purchase from People Who Are Blind or Severely Disabled, Committee on	PA
Wolters	Kate P	Member		Disability, National Council on	PAS

**DETERMINED TO BE AN ADMINISTRATIVE
MARKING Per E.O. 13526
Sec. 3.2(C) Initials: DB Date: 9/7/97**

**Noncareer SES, Schedule C and Other Appointees with Disabilities
Publicly Announced**

7/15/94

Last Name	First Name	Title	Area	Dept/Agency	Type
Aamodt	RV	Mail Analyst	White House Correspondence	The White House	AD
Allen	Janet C.	Deputy Chief of Staff	Finance & Administration	Agency for Intl Development	AD
Boorstin	Robert	Spec Asst to the Pres for Policy Coordination	Ofc of Communications	The White House	AD
Breadlove	James W.	Regional Administrator	Region VI	Small Business Administration	C
Butler-Bush	Tonia	Staff Assistant/Writer	White House Correspondence	The White House	AD
Carey	Paul	Spec Asst to the Pres (Senate)	Ofc of Legislative Affairs	The White House	AD
Clarkson	Shirley	Director	Office of Public Affairs	Archives & Records Admin, Nat'l	C
Daniels	Susan Marie	Associate Commissioner for Disabilities	Social Security Administration	Health & Human Svcs, Dept of	SES
Deane	Bonnie L.	Assoc Dir/Sci, Tech, & Infra (Human Res)/NEC	Ofc of Policy Development- NEC	The White House	AD
Derian	Michael	Confidential Assistant to the Administrator	Federal Crop Insurance Corporation	Agriculture, Department of	C
Gwin	Holly L.	General Counsel		Office of Science & Tech Policy	C
Itzkoff	Donald M.	Deputy Administrator	Federal Railroad Administration	Transportation, Department of	SES
Jones	Robert L.	Special Assistant to the Sec & Dep'ty Sec	Office of the Secretary	Veterans Affairs, Department of	C
Livingstone	Craig	Asst to the Counsel to the Pres (Security)	Ofc of General Counsel	The White House	AD
May	Joyce	Asst Director, Administrative Oper Divis	Ofc of Administration	The White House	AD
Mitchell	Beatriz de Obaldia	Special Assistant	OSERS	Education, Department of	C
Moses	Howard R.	Deputy Assistant Secretary	Office of Spec Ed & Rehab Services	Education, Department of	SES
Parisi	Patricia	Deputy Secretary's Regional Representative	Region II	Education, Department of	C
Pearlstein	Deborah N.	Writer		The White House	AD
Savage	Elizabeth	Special Assistant	Civil Rights Division	Justice, Department of	C
Seelman	Katherine D.	Director	Nat'l Inst on Disability & Rehabilitation Rsrch	Education, Department of	SES
Shiffrin	Richard L.	Deputy Assistant AG	Office of Legal Counsel	Justice, Department of	SES
Spires	Cynthia Ann (Thea)	Special Assistant	Ofc of Asst to the Sec for Field Mngmnt	Housing & Urban Dev, Dept of	C
Tecklenberg	Michael H.	Spec Assistant to the Assistant Attorney General	Office of Antitrust	Justice, Department of	C
Weintraub	Philip	Assistant Mail Clerk	White House Correspondence	The White House	AD
Williams	Robert	Director	Admin for Developmental Disabilities-ACF	Health & Human Svcs, Dept of	SES
Winter	Michael A.	Special Assistant to the Dpty Associate Secretary	Office of Intermodalism	Transportation, Department of	C
Zwally	Kurt D.	Staff Assistant	Ofc of Policy Development- Env.Pol	The White House	AD

**DETERMINED TO BE AN ADMINISTRATIVE
MARKING Per E.O. 13526**

Sec. 3.2(C) Initials: OB Date: 9/7/97

**MEMORANDUM TO: DEBBIE FINE, Office of Public Liaison
JENNIFER O'CONNOR, Cabinet Affairs**

FROM: Paul Steven Miller

DATE: July 15, 1994

SUBJECT: Political Friends with Disabilities of Clinton/Gore

In an effort to include persons with disabilities who worked on the campaign, or who are otherwise associated with Clinton/Gore and may not be on the radar screen of the disability community activists who worked on the invite list for the ADA event, I am enclosing a short list of disabled political friends, campaign workers, etc. of Clinton/Gore. I pulled these names from the pool of disabled persons who have sent in resumes or who I have heard from during the past year and one half. These persons were probably missed by the disability activists because they may not be involved in the "mainstream" disability community. Please do not hesitate to contact me if you have any questions.

Gordon W. Anthony
600 West Ninth Street
Suite 1503
Los Angeles, CA 90015

James Douglas Armstrong
604 Balfour Rd.
Winston-Salem, NC 27104

Richard Boyer
4325 W. Blacksmith St.
Tucson, AZ 85741

Robert L. Burgdorf Jr.
804 Woodside Parkway
Silver Spring, MD 20910

Roger Chambers
3923 N. Pennsylvania
Oklahoma City, OK 73112

John A. Chappell, Jr.
8 Clark Circle
Hanover, MS 02339-2433

James Cherry
625 Reds Circle
Lilburn, GA 30242

John Christensen
6711-44th Ave.
University Park, MD 20782

Max Cleland
Secretary of State
214 State Capitol
Atlanta, GA 30334

Philip Blake Calkins
512 Adelman Circle, SW
Vienna, VA 22180

Diana D. Danis
2990 Stuart St.
Denver, CO 80212-1429

Deidre Davis
114 Michigan Ave.
Washington, DC 20017

Norman Dawson
8631-C Rio Grande Blvd., NW
Albuquerque, NM 87114-1200

Nicholas Dewitt
555 South Flower St.
23rd Floor
Los Angeles, CA 90071

Sheryl Dicker
255 Barnard Rd
Larchmont, NY 10538

James Dickson
4215 12th Street, N.E.
Washington, DC 20017

Leonard M. Eaton
543 Derby Ave.
Woodmere, NY 11598

Tim Flannigan
926 Fillmore St., #102
San Francisco, CA 94117

Hugh Gregory Gallager
7600 Cabin Road
Cabin John, MD 20818

John Gaffney
3505 South Ocean Dr.
Penthouse Six
Hollywood, FL 33019

Donald Galloway
627 Dahlia St., NW
Washington, DC 20012

James Gashel
1308 East 36th St.
Baltimore, MD 21218

Elinor Gollay
302 15th Street, SW
Albuquerque, NM 87104

Susan E. Greenwald
6123 Farrington Road #D9
Chapel Hill, NC 27514

John R. Hopkins
7 Anne Brent Garth
Phoenix, MD 21131

Margot Imdieke
3201 25th St., East
Minneapolis, MN 55406

Alice N. Inokon
708 Hobbs Drive
Silver Spring, MD 20904

Margaret Jakobson
1729 Esmond Ave.
Richmond, CA 94801

Kathy Joyce
131 Coolidge Ave. #716
Watertown, MA 02172

June Isaacson Kailes
6201 Ocean Front Walk, Ste. 2
Playa del Rey, CA 90293-7556

Roger P. Kingsley
12609 Pentenville Rd.
Silver Spring, MD 20904

David B. Klim
605 Bradford Parkway
Syracuse, NY 13224

**MEMORANDUM TO: DEBBIE FINE, Office of Public Liaison
JENNIFER O'CONNOR, Cabinet Affairs**

FROM: Paul Steven Miller

DATE: July 14, 1994

SUBJECT: Recent Clinton Appointees with Disabilities for ADA Event

The following four names are persons with disabilities who have recently (past week) been signed off by the President for nominations to part-time boards and commissions and were not included on the previous list I sent you.

YERKER ANDERSSON
6141 Fieldcrest Drive
Frederick, MD 21701

RAE UNZICKER
804 South Phillips Ave
Sioux Falls, South Dakota 57104

LILLIAM POLLO
5973 S.W. 42nd Terrace
Miami, Florida 33155

ANN FORTAS
Box 644
Center Harbor, New Hampshire 03226

Gina Lamar
P.O. Box 4642
Columbia, SC 29240

Katherine V.G. Leff
40 First Avenue
New York, NY 10009

Jennifer C. Ley
2111 Jefferson Davis Hwy.
#214 South
Arlington, VA 22202

Jennifer Mechem
3133 Connecticut Avenue
Apartment 317
Washington, D.C. 20008

Robert Michaels
3601 Scruggs Place
Mitchellville, MD 20785

Stephen Mikita
Utah State Assistant
Attorney General
Room 130
State Capitol
Salt Lake City, UT 84114

Joseph P. Mililli
26 W080 Sandpiper Court
Wheaton, IL 60188

Sharon E. Mistler
512 Adelman Circle, S.W.
Vienna, VA 22180

Gina McDonald
3258 S. Topeka Blvd
Topeka, KS 66611

Ian E. Novos
353 9th Street, NE
Atlanta, GA 30309

Gordon R. "Sam" Overton
13331 Moorpark Street, #123
Sherman Oaks, CA 91423

Mark S. Partin
7800 Shoal Creek Blvd.
Suite 171-E
Austin, TX 78757

Clifton Perez
P.O. Box 662
Troy, NY 12181

Sande Pond
Weston Law Center for
Disability Rights
1441 W. Olympic Blvd.
Los Angeles, CA

Diana Rock
9340 Harvey Road
Silver Spring, MD 20910

Rachel Wheeler Rossow
15 1/2 Lanz Lane
Ellington, CT 06029

Dixie Sanders
P.O. Box 250414
Little Rock, AK 72225

Ira Schoenholtz
291 Tarocco
Irvine, CA 92720

Charles Siegal
550 Ridge Oak Drive
Los Angeles, CA 90068-2553

Edward T. Smith
6501 Woodshire Place
Raleigh, NC 27612-2343

Lairold M. Street
1337 Hamilton St., NW
Washington, DC 20011

Anne Thomas
3801 Tres Pinos NW
Albuquerque, NM 87107

James Tuscher
1404 Drayton
St. Louis, MO 63119

Arthur P. Ullian
The Boston Land Company
151 Tremont Street
Boston, MA 02111

26th - Leno

John
Beecham
↓
DAS Cong
Cong
0708 0370
0380

PSAs

1 800 #

easy
before

libraries w/ info

you shld know
the ADA

+ few other things



bringin in people
who brought their
cases + got the thing
passed

Julie + Liz Savage (Civil
Rights)

Iris Barnett
Sue Wilitzen

United States Information Agency
Office of the Director
301 4th Street, S.W.
Washington, D.C. 20547
OFFICE: (202) 619-4742
FAX: (202) 619-6705

FAX COVER SHEET

TO: Jennifer O'Connor - 456.6704

FROM: Martha Brown - Acting WH Liaison
USIA telephone: 619-5629 ⁽²⁰²⁾ 619-4792

DATE: 7/13

NUMBER OF PAGES: 1

(including fax cover sheet)

MESSAGE: Responding to the request for numbers for the ADA Sent:

We would like Director Duffey to

attend - as well as 10 (ten) of our political
appointees (if possible.)

Thank you.

Director Duffey

FAX TRANSMITTAL

FROM

THE OFFICE OF THE DIRECTOR
U.S. OFFICE OF PERSONNEL MANAGEMENT

TO:

JENNIFER O'CONNOR
of CABINET AFFAIRS
phone fax 456-6704

FROM:

MICHAEL CUSHING
of OPM
phone 606-1000 fax (202) 606-2573

DATE:

7-14-94

TOTAL NUMBER OF PAGES (including cover sheet):

2

COMMENTS:



OFFICE OF THE DIRECTOR

UNITED STATES
OFFICE OF PERSONNEL MANAGEMENT
WASHINGTON, D.C. 20415

July 14, 1994

MEMORANDUM TO JENNIFER O'CONNOR
OFFICE OF CABINET AFFAIRS

FROM:

MICHAEL CUSHING *Mike*
CHIEF OF STAFF *MS*

SUBJECT:

OPM Invitees to the 7/26/94 ADA Anniversary Event

For the event on July 26 OPM would like you to invite:

1. Michael Grant
2. Rosa Grillo
3. Caron Albert

Thank you.

*Michael Grant
Cancel to Dir. for Agency Initiatives*

OFFICE OF CABINET AFFAIRS

THE WHITE HOUSE

WASHINGTON

FAX

TO:

Robin Dickey

DATE:

10-9

PHONE:

NO. OF PAGES
(Including cover)

FAX:

PRIORITY:

Y

FROM:

Jen O'Connor

PHONE:

(202) 456-2572

FAX:

(202) 456-6704

MESSAGE:

Additions for invites
to ADA event (this is
White House people w/
disabilities, and Boards &
Commissions

**Meeting with Clinton Administration Appointees
With Disabilities: Proposes Invite List**

The White House

1
THE HONORABLE MICHELA ALIOTO (CA)
The White House
Washington, DC 20500
(202) 456-6265
Fax (202) 456-6231

2
THE HONORABLE BOB BOORSTIN (CA)
Special Assistant to the President
for Policy
White House Office
The White House
Washington, DC 20500
(202) 456-7151
Fax (202) 456-2362

3
MR. JOHN W. CRESSMAN (NJ)
Assistant Director
Office of Administration
The White House
Washington, DC 20500
(202) 395-6963
Fax (202) 395-7279

4
MS. BONNIE DEANE (CA)
Director to the National Economic Council
Office of Policy Development
The White House
Washington, DC 20500
(202) 456-2801
Fax (202) 456-2223

5
THE HONORABLE CHRISTINE MALOY (DC)
Special Assistant
for the Visitor's Office
The White House
Washington, DC 20500
(202) 456-2322
Fax (202) 456-2370

6
MR. PAUL STEVEN MILLER (CA)
Deputy Director
U.S. Office of Consumer Affairs
1620 L Street, NW - Suite 700
Washington, DC 20036
(202) 634-9610
Fax (202) 634-4135

- 7 • **TONIA BUTLER-BUSH**
Student Correspondence
The White House
Room 435 OEOB
Washington, D.C. 20500
- 8 • **PHILLIP WEINTRAUB**
Mail Analysis--Correspondence
The White House
Room 58 OEOB
Washington, D.C. 20500

MARIE BROOKTER
Confidential Assistant
Office of Civil Rights
Department of Education
Mary Switzer Building
330 C Street S.W.
Washington, D.C. 20202

- **FRED SCHROEDER**
Commissioner, Rehabilitation Services Administration
Department of Education
Mary Switzer Building
330 C Street S.W.
Washington, D.C. 20202

- **SUSAN DANIELS**
Associate Commissioner
Office of Disability, Social Security Administration
6401 Security Blvd.
Room 560, Altmeyer Building
Baltimore, Maryland 21235

9 • **MICHAEL GRANT**
Deputy Chief of Staff
Office of Personal Management
Theodore Roosevelt Building
Room 5305
1900 M Street, NW
Washington, D.C. 20415

*on
(other
list)*

MAR-15-1994 13:37 FROM US OFF. CONSUMER AFFAIRS TO

92059252 P.08

- 7 -

Presidents Committee on Employment of Persons With Disabilities

10 MR. TONY COELHO (NY)
Chairperson
1331 F Street, NW
Washington, DC 20004
(202) 376-6200
Fax (202) 376-6219

Tony Coelho
Managing Director
Wertheim Schroeder & Company, Inc.
Equitable Center
787 Seventh Avenue
New York, NY 10019-6016
Office: 212/492-6423
Fax: 212/492-7037

11 NEIL JACOBSON (CA)
Vice Chair
1331 F Street, NW
Washington, DC 20004
(202) 376-6200
Fax (202) 376-6219

Neil Jacobson
Vice President
Corporate System Architect
Wells Fargo Bank - MAC #0187-050
420 Montgomery Street
San Francisco, CA 94163
Office: 415/477-7778
Fax: 415/477-7721

12 KAREN MEYER (IL)
Vice Chair
1331 F Street, NW
Washington, DC 20004
(202) 376-6200
Fax (202) 376-6219

Karen Meyer
1834 North Halsted Avenue
Chicago, IL 60614
Voice: 312/664-6606
TDD: 312/664-5996
FAX: 312/899-8019
Office Voice: 312/750-7777

* Nancy Eustis is not with the Department of Health and Human Services

3

Michelle Alford
1120 Pacific Avenue
San Francisco, California 94115
415-971-8100

13 Marca Bristo
2970 North Lake Shore Drive, No. 3EF
Chicago, Illinois 60657
312-404-2440

Mari Bockert
445 North Street, Apartment 104
Washington DC 20005
202-966-7216

14 Larry Brown
475 North Armistead, Apartment 10-H
Alexandria, Virginia 22312
703-941-7247

Tonia Bales Bush
1000 Pennsylvania Avenue, NW, No. 73
Washington DC 20007
202-462-7395

15 John Catlin
155 North Harbor, No. 2910
Chicago, Illinois 60601
312-819-1526

Susan Daniels
3097 Wazzy Terrace, NW, No. 137
Washington DC 20008
202-336-9976

Michael Grant
111 West Tulpehocken Street
Philadelphia, Pennsylvania 19144

16 Barbara Jordan
12126 Tunnel Trail
Manchaca, Texas 78652
512-282-2611

- 17 Debora Kaplan
World Institute Disability
510 16th Street, ste. 100
Oakland, California 94162
510-763-4100
- 18 John Kemp
UCPA
1422 K Street, NW, Apartment 112
Washington DC 20005
202-843-1266
- 19 Reginald Lindsay
66 Concord Street
Newtown, Massachusetts 02162
617-965-3686
- 20 Marlee Matlin
8705 Santa Monica Boulevard
Los Angeles, California 90046
310-274-7800
- 21 Andrey McCrimmon
100 West Randolph, Suite 8 - 100
Chicago, Illinois 60601
312-814-5000
- 22 Lenore Miller
12 Garden Road
Little Silver, New Jersey 07739
908-747-5504
- 23 T.J. Monroe
605 Bel Air Drive
Nashville, Tennessee 37204
615-361-3077
- 24 Brenda Moore
454 Park Hall
Buffalo, New York 14260
716-645-2585
- 25 Bonnis O'Day
745 Somerville Avenue, Apartment 2
Somerville, Massachusetts 02143
617-776-2374

Fre. Shrader
1114 Wellesley, NE
Albuquerque, New Mexico 87106
505-268-9262

26 Bobby Simpson
1311 West Markham, Apartment 43
Little Rock, Arkansas 72211
510-221-9497

27 Donna Sorkin
1855 Rhode Island Avenue
McLean, Virginia 22101

28 Max J. Starkloff
4446 Laclede
St. Louis, Missouri 63108
314-776-4475

29 David Tatel
24 Grafton Street
Chevy Chase, Maryland 20815
301-654-1955

30 Donald Thompson
PO Box 18922
Washington DC 20036
202-456-2964

31 Nancy Verderber
2319-A Hickory Street
St. Louis, Missouri 63108
314-776-4475

32 Evelyne Villines
NISH
2235 Cedar Lane
Vienna, Virginia 22182

33 Hughey Walker
Route 2, Box 217
Hemingway, South Carolina 29554
803-558-3379

34 Donald Weddewer
332 Piping Rock Way
Tallahassee, Florida 32308

Philip Wintraub
2 Belmont Court
Buffalo Grove, Illinois 60089
608-808-9311

35 Kate Wolters
2260 Cascade Springs Drive
Grand Rapids, Michigan 49546
616-246-4695

36 Pamela Holmes-Young
600 Aspen Avenue
Verona, Wisconsin 53593
608-238-3008

37 Steven Zinter
1109 Bridgeview
Pierre, South Dakota 57501

38 Irving Zola
Department of Sociology
Brandeis University
Waltham, Massachusetts 02254

- 39 • John Gannon
National Council on Disability
1331 F Street, N.W.
Suite 1050
Washington D.C., 20004
- 40 • Robert Gentleman
2332 Ridge Avenue
Evanston, Illinois 60201
- 41 • Jimmie Huega
President's Council on Physical Fitness
701 Pennsylvania Ave, N.W.
Suite 250
Washington, D.C. 20004
- 42 • I. King Jordan
President, Gallaudet University
College Hall, 2nd Floor
800 Florida Ave, N.E.
Washington, D.C. 20002
- 43 • Mary McJew
7840 Warbler Court, S.E
Olympia, Washington 98503
- 44 • Nancy Bloch
2707 Lake Avenue
Cheverly, MD 20785
- 45 • Douglas Matchett
156 Glenhill Drive
Rochester, NY 14618
- 46 • Sharaine Rice
2217 Hennock Boulevard
Woodbury MN 55125

OPM Invitees to the 7/26/94 ADA Anniversary Event

Counsel

47 Michael Grant
~~Council~~ to the Director for Agency Initiatives
Office of Personnel Management
1900 E Street, NW
Washington, DC 20415-0001

48 Rosa Grillo
Public Affairs Specialist
Office of Personnel Management
Office of Communications
Rooms 5F12
1900 E Street, NW
Washington, DC 20415-001

49 Caron Albert
Summer Intern
Office of Personnel Management
Office of Communications
Room 5F12
1900 E Street, NW
Washington, DC 20415-001

OFFICE OF CABINET AFFAIRS

THE WHITE HOUSE

WASHINGTON

FAX

TO: Sarah Ryan

DATE: _____

PHONE: _____

NO. OF PAGES 7
(Including cover)

FAX: _____

PRIORITY: Y

FROM: Jennifer O'Connor

PHONE: (202) 456-2572

FAX: (202) 456-6704

MESSAGE: Here's the list of Cabinet department
staff to invite. I'm tracking down
Mike Lux to see if he's putting
together a White House list -

Additions to Proposed Invite List to Meeting with Clinton
Administration Appointees With Disabilities

United States Department of Agriculture

Benjamin Carter
Confidential Assistant to Administrator
Rural Development Administration
Room 5045
14th and Independence Ave.
Washington, DC 20250-3200

Department of Education

Fredrick K. Schroeder
Commissioner of the Rehabilitative Services Administration
Room 3028
Mary E. Switzer Building
330 C Street SW
Washington, DC 20202-2531

Marie Brookter
Confidential Assistant in Office of Civil Rights
Room 5000I
Mary E. Switzer Building
330 C Street SW
Washington, DC 20202-1100

Department of Health and Human Services

Susan Daniels
Associate Commissioner for Disability
Social Security Administration
6401 Security Blvd.
Room 545
Altmeyer Building
Baltimore, MD 21235

Department of Veterans Affairs

Jesse Brown
Secretary of Department of Veterans Affairs
810 Vermont Ave. NW
Washington, DC 20420

- 2 -

Department of Agriculture

~~Frank Stalack~~ ✓
 MR. MICHAEL DERIAN (MS)
 Confidential Assistant to the Administrator
 of Agricultural Research Service
 Department of Agriculture
 14th & Independence Ave.
 Administration Building
 Rm. 219A
 Washington, DC 20250
 (202) 720-6643
 Fax (202) 720-9819

~~Ben Carter~~
 Rural Development
 Administration
 202-994-690-4730

Department of Education

~~Kevin Storton~~ ✓
 MS. JUDITH E. HEUMANN (CA)
 Assistant Secretary
 Office of Special Education and
 Rehabilitative Services
 U.S. Department of Education
 330 C Street, SW
 Rm. 3006
 Washington, DC 20202
 (202) 205-5465
 Fax (202) 205-9252

~~Frederic L. Schrader~~
~~Marte Brunkler~~

MR. HOWARD MOSES (DC)
 Deputy Assistant Secretary
 Office of Special Education and
 Rehabilitative Services
 U.S. Department of Education
 330 C Street, SW
 Rm. 3006
 Washington, DC 20202
 (202) 205-5465
 Fax (202) 205-9252

DR. KATHERINE D. SEELMAN (MD)
 Director
 National Institute of Disability &
 Rehabilitation Research
 U.S. Department of Education
 330 C Street, SW
 Rm. 3060
 Washington, DC 20202
 (202) 205-8134
 Fax (202) 205-9252

- 3 -

(Department of Education cont.)

MS. BEATRIZ MITCHELL (NM)
 Special Assistant to the Assistant Secretary
 Office of Special Education and
 Rehabilitative Services
 U.S. Department of Education
 330 C Street, SW
 Rm. 3122
 Washington, DC 20202
 (202) 205-9293
 Fax (202) 205-9252

MS. THERA SANAIZA (DC)
 Special Assistant to the Assistant Secretary
 Office of Special Education and
 Rehabilitative Services
 U.S. Department of Education
 330 C Street, SW
 Rm. 3131
 (202) 205-8148
 Fax (202) 205-9252

PATRICIA PARISI (NY)
 (On leave since October due to son's illness)
 434 Spring Avenue
 Ridgewood, NJ 07450
 (201) 445-9225

Department of Health and Human Services

THE HONORABLE FERNANDO M. TORRES-GIL (CA)
 Assistant Secretary for Aging
 Department of Health and Human Services
 Hubert Humphrey Building
 200 Independence Ave., SW
 Rm. 309F
 Washington, DC 20201
 (202) 401-4634
 Fax (202) 401-7741

MR. BOB WILLIAMS (DC)
 Commissioner, Administration on Developmental Disabilities
 Department of Health and Human Services
 Hubert Humphrey Building
 200 Independence Ave., SW
 Rm. 351D
 Washington, DC 20201
 (202) 690-6590
 Fax (202) 690-6904

MAR-15-1994 13:36 FROM US OFF CONSUMER AFFAIRS TO

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- 4 -

MS. NANCY EUSTIS (MN)
 Special Assistant to the Deputy Assistant Secretary
 for Long Term Care
 Department of Health and Human Services
 Hubert Humphrey Building
 200 Independence Ave.
 Rm.
 Washington, DC 20201
 (202)
 Fax (202)

MR. GARY BLUMENTHAL (KS)
 Executive Director, President's Committee On Mental Retardation
 Department of Health and Human Services
 Cohen Building
 330 Independence Ave., SW
 Rm. 5145
 Washington, DC 20201
 (202) 619-0634
 Fax (202) 205-9519

Department of Housing and Urban Development

Cynthia A. Allen
 MS. TARA SHIRES (ME)
 Special Assistant, Regional Housing
 Department of HUD
 451 7th Street, SW
 Rm. 7106
 (202) 708-2424
 Fax (202) 708-1558

~~MS. NANCY EUSTIS (MN)~~
~~Special Assistant to the Deputy Assistant Secretary~~

Department of Justice

MS. ELEANOR D. ACHESON (MA)
 Assistant Attorney General
 Office of Policy Development
 Department of Justice
 10th & Constitution Ave., NW
 Rm. 40234
 Washington, DC 20530
 (202) 514-4601
 Fax (202) 514-2424

- 5 -

Department of Justice (cont.)

MS. LIZ SAVAGE (DC)
Special Assistant to the
Assistant Attorney General Civil Rights Division
Department of Justice
Rm. 5639
P.O. Box 65808
Washington, DC 20035-5808
(202) 514-4279
Fax (202) 514-0293

MR. RICHARD SCHIFFRIN (FL)
Deputy Assistant Attorney General
Office of Legal Counsel
Department of Justice
Rm. 5235
10th & Constitution Ave.
Washington, DC 20530
(202) 514-2046
Fax (202) 514-0563

MR. MICHAEL TECKLENBERG (SC/DC)
Litigation Counsel
Special Assistant to the
Assistant Attorney General
Department of Justice
10th & Constitution Ave.
Suite 3114
Washington, DC 20530
(202) 514-2452
Fax (202) 616-2545

Department of State

THE HONORABLE JANET ALLEN
Chief Of Staff
Bureau for Management
Agency for International Development
320 21st St., NW
Rm. 3948
Washington, DC 20523
(202) 736-4618
Fax (202) 736-1147

~~Noted~~
~~647-5381~~ ✓

MAR-15-1994 13:37 FROM US OFF. CONSUMER AFFAIRS TO

52259252 P.07

- 6 -

Department of Transportation

THE HONORABLE DONALD ITZKOFF (NJ)
Deputy Administrator
Federal Railroad Administration
Department of Transportation
Rm. 8206
400 7th St., SW
Washington, DC 20590
(202) 366-0857
Fax (202) 366-7009

MR. MICHAEL WINTER (CA)
Special Assistant to the Associate Deputy Secretary and
Director of the Office of Intermodal Transportation
Rm. 10290
Department of Transportation
400 7th St., SW
Washington, DC 20590
(202) 366-8104
Fax (202) 366-7952

Department of Veterans Affairs

MR. RAYMOND VOGEL (FL)
Undersecretary for Benefits
Department of Veterans Affairs
Rm. 811 TECH
810 Vermont Ave., NW
Washington, DC 20420
(202) 535-7920
Fax (202) 535-8026

MR. EUGENE BRICKHOUSE (MD)
Assistant Secretary for Human Resources
Deputy of Veterans Affairs
Rm. 1227 TECH
810 Vermont Ave., NW
Washington, DC 20420
(202) 273-4901
Fax (202) 273-914

MR. ROBERT JONES (MD)
Special Assistant to the Secretary
Rm. 1141
810 Vermont Ave., NW
Washington, DC 20420
(202) 535-8617
Fax (202) 535-8989

W. Benjamin

Richard Bannister
273-4838
273-4879
Gracie

Jesse Brown
Secretary of VA

Jones

The White House

- MICHELA ALIOTO (CA) -- Special Assistant, Domestic Policy Office, Office of the Vice-President/The White House
- BOB BOORSTIN -- Special Assistant to the President, Policy Coordination/The White House
- TONIA BUTLER-BUSH (DC) -- Staff Assistant-Writer, White House Correspondence/The White House
- JOHN CRESSMAN (NJ) -- Deputy Director, Office of Administration/The White House
- ~~● BONNIE DEANE -- Director, Science, Technology and Infrastructure Division (Human Capital) National Economic Council/The White House [Returned to the Private Sector]~~
- CHRISTINE MALOY (DC) -- Special Assistant, Visitor's Office/The White House
- ~~● PAUL STEVEN MILLER (CA) -- Director, Disability Outreach and Search Manager, Office of Presidential Personnel/The White House~~
- PHILLIP WEINTRAUB (DC) -- Mail Analysis Clerk, Presidential Correspondence/The White House

Department of Agriculture

- MICHAEL DERIAN -- Confidential Assistant to the Administrator of Agricultural Research Service/Department of Agriculture

Department of Education

- MARIE BROOKTER (DC) -- Confidential Assistant, Office of Civil Rights/Department of Education
- JUDY HEUMANN (CA) -- Assistant Secretary, Office of Special Education and Rehabilitation Services/Department of Education
- BEATRIZ de OBALDIA MITCHELL (NM) -- Special Assistant, Office of Special Education and Rehabilitation Services/Department of Education
- HOWARD MOSES (DC) -- Deputy Assistant Secretary, Office of Special Education and Rehabilitation Services/Department of Education

As of July 13, 1994

Page 2

- PATRICIA PARISI (NY) -- Deputy Secretary's Regional Representative, Region II/Department of Education
- FRED SCHROEDER (NM) -- Commissioner, Rehabilitation Services Administration/Department of Education
- KATE SEELMAN (MD) -- Director, National Institute on Disability Research and Rehabilitation/Department of Education
- THEDA ZAWAIZA (DC) -- Special Assistant, Office of Special Education and Rehabilitation Services/Department of Education

Department of Health and Human Services

- SUSAN DANIELS (DC) -- Associate Commissioner, Disability, Social Security Administration/Department of Health and Human Services
- NANCY BUSTIS (MN) -- Special Assistant to the Deputy Assistant Secretary for Long Term Care/Department of Health and Human Services
- FERNANDO TORRES-GIL (CA) -- Commissioner on Aging, Administration on Aging/Department of Health and Human Services
- BOB WILLIAMS (DC) -- Commissioner, Administration on Developmental Disabilities/Department of Health and Human Services

Department of Housing and Urban Development

- THEA SPIRES (ME) -- Special Assistant, Office of Assistant to the Secretary for Field Management/Department of Housing and Urban Development
- DONALD THOMPSON (DC) -- Confidential Assistant/Department of Housing and Urban Development

Department of Justice

- ELEANOR ACHESON (MA) -- Assistant Attorney General for the Office of Policy Development/Department of Justice
- LIZ SAVAGE (DC) -- Special Assistant to the Assistant Attorney General for Civil Rights/Department of Justice

As of July 13, 1994

Page 3

- RICHARD SCHIFFRIN (FLA) -- Deputy Assistant Attorney General, Office of Legal Counsel/Department of Justice
- MICHAEL TECKLENBERG (SC/DC) -- Special Assistant, Assistant Attorney General, Anti-Trust Division/Department of Justice

Federal Judiciary

- ROBERT GETTLEMAN (ILL) -- Federal District Court Judge [*Not Yet Confirmed*]
- REGINALD LINDSAY (MA) -- Federal District Court Judge
- DAVID TATEL (DC) -- D.C. Circuit Court of Appeals Justice [*Not Yet Confirmed*]

Department of State

- JANET ALLEM -- Deputy Chief of Staff/Agency for International Development

Department of Transportation

- JOHN ITZKOFF (NJ) -- Deputy Administrator, Federal Railroad Administration/Department of Transportation
- MICHAEL WINTER (CA) -- Special Assistant to the Associate Deputy Secretary and Director of the Office of Intermodal Transportation (Michael Huerta)/Department of Transportation

Department of Veterans Affairs

- JESSE BROWN -- Secretary of the Department of Veterans Affairs
- EUGENE BRICKHOUSE (MD) -- Assistant Secretary for Human Resources/Department of Veterans Affairs
- ROBERT JONES (MD) -- Special Assistant to the Secretary and Deputy Secretary/Department of Veterans Affairs
- RAYMOND VOGEL (FLA) -- Undersecretary for Benefits/Department of Veterans Affairs

As of July 13, 1994

Page 4

Equal Employment Opportunity Commission

- PAUL STEVEN MILLER (CA) -- Commissioner [*Not Yet Confirmed*]

Office of Personal Management

- MICHAEL GRANT -- Deputy Director/Office of Personal Management

PART-TIME APPOINTMENTS -- BOARDS AND COMMISSIONS

American Battle Monuments Commission

- BRENDA MOORE (NY)

Commission on Legal Immigration Reform

- BARBARA JORDAN -- Chairperson

Commission on Presidential Scholars

- NANCY VERDERBER (MO)

Commission on White House Fellowships

- MAX STARKLOFF (MO)

Corporation for National and Community Service

- MARLEE MATLIN (CA) -- Board Member

National Advisory Group, National Institute on the Deaf/Department of Education

- NANCY BLOCH (MD)
- DOUGLAS MATCHETT (NY)
- SHARAIN RICE (MINN)

National Council on Disability

- MARCA BRISTO (I.I.)
- BONNIE O'DAY (MA)
- HUGHEY WALKER (SC)
- KATE PEW VOLTERS (MD)
- MICHELE ALIOTO (CA)

As of July 13, 1994

Page 5

National Information Infrastructure Task Force

- DEBORAH KAPLAN (CA)

President's Committee on Employment of People with Disabilities

- TONY COEHLO (NY) -- Chairperson
- NEIL JACOBSON (CA) -- Vice-Chairperson
- KAREN MEYER (ILL) -- Vice-Chairperson

President's Committee on Physical Fitness

- JIMMIE HUEGA (CO)

President's Committee on Purchase from People Who Are Blind or Severely Disabled

- EVELYNE VILLINES (IO)
- DONALD WEDEWER (OH)

As of July 13, 1994

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TO BE ANNOUNCED/NOMINATED

- JOHN CATLIN (ILL) -- Architectural and Transportation Barriers Compliance Board
- JOHN KEMP (VA) -- National Council on Disability
- AUDREY McCRIMMON (ILL) -- National Council on Disability
- MARY McNEW (WA) -- The Glass Ceiling Commission
- MARLEE MATLIN (CA) -- Board Member/Corporation for National and Community Service
- T.J. MONROE (TENN) -- President's Committee on Mental Retardation
- BOBBY SIMPSON (ARK) -- National Commission on Employment Policy
- DONNA SORKIN (VA) -- Architectural and Transportation Barriers Compliance Board
- PAMELA YOUNG-HOLMES (WISC) -- Architectural and Transportation Barriers Compliance Board
- STEVEN L. ZINTER (SD) -- Harry S. Truman Scholarship Foundation
- IRVING ZOILA (MA) -- National Council on Disability

MEMORANDUM TO MIKE LUX and DEBBIE FINE, Office of Public Liason**FROM:** Paul Steven Miller *PSM***DATE:** July 11, 1994**SUBJECT:** Clinton Appointees with Disabilities

Attached is a list of the full-time political appointees with disabilities to be used in connection with the ADA Celebration Event. I am in the process of pulling together the addresses for the part-time political appointees with disabilities (Boards and Commissions). The part-time political appointee address list should be ready by the end of the day today or tomorrow. Please call with any questions.

MEMORANDUM TO DEBBIE FINE, Office of Public Liason

FROM: Paul Steven Miller *PSM*

DATE: July 13, 1994

SUBJECT: Clinton Appointees with Disabilities

Enclosed is the list of the Clinton appointees with disabilities who have been appointed to serve on part-time Presidential boards and commissions.

United States
Office of Consumer Affairs

1620 L St., NW, Washington, DC 20036 Fax # (202) 634-4135

TO:

Jennifer O'Connor

Office telephone #:

456-2572 (V)

Cabinet Affairs

FROM:

Paul Steven Bellar

Office telephone #:

202-634-9610

MESSAGE:

Date:

7/13

Time:

4:15

Total pages:

22



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Department of Agriculture

Fred Slaback ✓

MR. MICHAEL DERIAN (MS)
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Fax (202) 720-8819

Ben Carter
Rural Development
Administration
~~720-9940~~ 690-4730

Department of Education

Kellie Thorton ✓

MS. JUDITH E. HEUMANN (CA)
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Office of Special Education and
Rehabilitative Services
U.S. Department of Education
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Fax (202) 205-9252

add
Frederic K. Schroeder
Marre Brooker

MR. HOWARD MOSES (DC)
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Office of Special Education and
Rehabilitative Services
U.S. Department of Education
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- 1 -

(Department of Education cont.)

~~MS. BEATRIZ MITCHELL (NM)
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NO

~~MS. THEDA ZAWAIZA (DC)
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X NO

PATRICIA PARISI (NY)
(On leave since October due to son's illness)
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Department of Health and Human Services

THE HONORABLE FERNANDO M. TORRES-GIL (CA)
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Jul Hargiss ✓

MAR-15-1994 13:36 FROM US OFF CONSUMER AFFAIRS TO

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- 4 -

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690-5891 add: Susan Daniels
 690-6625 Assoc. com. for
 Disability Admin. Soc. Sec.
 Liaison

MR. CARY BLUMENTHAL (KS)
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Amy Liu ✓

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~~MS. NANCY EUSTIS (MN)~~
~~Special Assistant to the Deputy Assistant Secretary~~

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Eric Riehl ✓
 514-5995

- 5 -

Department of Justice (cont.)

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Bureau for Management
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Mark Gussner
647 5301 ✓

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Department of Transportation

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 Federal Railroad Administration
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 Department of Veterans Affairs
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Ann Boman

Heyward
 Bannister
 273-4838

Fax
 273-4879

Heyward
 Gracie

add:
 Jesse Brown
 Secretary of VA

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WASHINGTON

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Sarah Ryan

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PHONE:

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PRIORITY: Y

FROM:

Jennifer O'Connor