

FOIA MARKER

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Collection/Record Group: Clinton Presidential Records
Subgroup/Office of Origin: Political Affairs
Series/Staff Member: Peter Shakow; Joe Velasquez
Subseries:

OA/ID Number: 5120
FolderID:

Folder Title:
Disabled Community

Stack:	Row:	Section:	Shelf:	Position:
S	28	5	3	2

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Joe Velasquez to Waves; RE: Personally Identifiable Information [partial] (1 page)	03/16/1994	b(6)
002. memo	Denise Rozell to Peter Shakow; RE: Personally Identifiable Information [partial] (1 page)	03/03/1994	b(6)
003. memo	Denise Rozell to Peter Shakow; RE: Personally Identifiable Information [partial] (1 page)	03/21/1994	b(6)

COLLECTION:

Clinton Presidential Records
 Political Affairs
 Peter Shakow; Joe Velasquez
 OA/Box Number: 5120

FOLDER TITLE:

Disabled Community

2007-0143-F
db4520

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

January 28, 1994

The Honorable Bill Clinton
President
The White House
Washington, DC 20500

Dear Mr. President:

Eight months ago, you announced your intent to nominate us to serve as members of the National Council on Disability. We were thrilled. We were challenged and honored to be asked to assist your Administration in shaping public policy as it relates to Americans with disabilities. With issues such as health care reform, welfare reform, and education reform on your agenda, our nominations sent a strong message to the disability community that our concerns would not be forgotten.

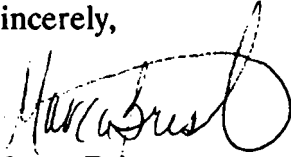
Now, many months later, we are frustrated by our inability to meaningfully assist in these important deliberations. Moreover, while we wait, appointees from the Bush and Reagan Administrations continue to officially provide your Administration with policy input on disability issues. While we appreciate the magnitude of the task of filling the many vital positions within government, we hope this process will be moved forward. With the withdrawal of Bobby Simpson as your nominee for RSA Commissioner and with the resignation of Justin Dart as Chairman of the President's Committee on Employment of People with Disabilities, many in our community are concerned that our voice will not be heard and that the Clinton Administration is, in fact, losing ground. While we know this not to be the case, prompt attention to these vacancies and others of importance to the disability community will reaffirm the commitments you made during your campaign to enable us to better assist you in these historic reforms.

Mr. President, we appreciate the leadership you have provided on a range of issues affecting people with disabilities. Your strong commitment to health reform that includes people with disabilities, your vigorous enforcement of the Americans with Disabilities Act and other civil rights laws, and your historic meeting with the disability

The Honorable Bill Clinton, Page 2

community in July demonstrate your true understanding of our issues. We remain committed to assisting you in fulfilling the policy you outlined so well during your campaign: inclusion, not exclusion; independence, not dependence; empowerment, not paternalism.

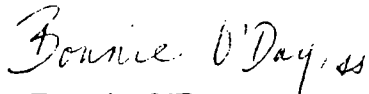
Sincerely,



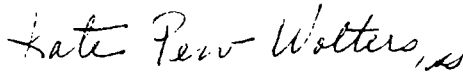
Marca Bristo
Chair-Designee,
National Council on Disability
and
President,
Access Living of Metropolitan Chicago



Michele Alioto
Member-Designee,
National Council on Disability



Bonnie O'Day
Member-Designee,
National Council on Disability



Kate Pew Wolters
Member-Designee,
National Council on Disability

bcc: Joe Velasquez



UNITED STATES

OFFICE OF CONSUMER AFFAIRS

1620 L ST. NW Suite 700, Washington, D.C. 20036

TO: Peter Shadow

Tel.# 456.6257 Fax # 456.9929

FROM: Paul Steven Miller

Tel.# 634-9610 Fax # (202) 634-4135

MESSAGE: As we discussed



2 page attached

NCIL

National Council on Independent Living

2111 Wilson Blvd., Suite 408

Arlington, VA 22201

Voice (703) 825-3405

T1/DD (703) 825-3407

FAX (703) 825-3400

Officers

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Troy, New York

Interim Vice President

Helen Roth,

Logan, Utah

Interim Vice President

Paul Spooner,

Birmingham, Massachusetts

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San Francisco, California

Region X

Duane French,

Anchorage, Alaska

March 22, 1994

Carol H. Rasco
Assistant to the President on
Domestic Policy
The White House
1800 Pennsylvania Avenue
Washington, DC 20500

Dear Ms. Rasco,

On Thursday, April 28, 1994, the National Council on Independent Living will host a Fund Raising gala reception and dinner in Washington, DC. We are coming together on this evening to celebrate the tremendous importance of health care reform and it's relationship to citizens with disabilities. We believe your participation is vital to enhance the significance of this event. Therefore, please accept this as an invitation to be our Keynote Speaker at the dinner which will be held at the Hyatt on Capitol Hill.

The National Council on Independent Living (NCIL) is an organization run by and for people with a variety of disabilities. The accomplishments of NCIL over the past ten years is due to the tireless energy and commitment of its membership, volunteers and allies across the nation. It has established itself as the national voice for the independent living movement, the independent living centers and people with disabilities who are leaders in the disability rights movement. NCIL played a direct role in building a grassroots commitment to the passage of the Americans with Disabilities Act (ADA). Members have dedicated many hours in Washington and at home in educating the Congress and the public about the importance of the ADA. NCIL has taken a leadership position in the reauthorization of the Rehabilitation Act, and has been directly involved in other related disability laws.

Recently, NCIL has opened an office in Washington, DC. As you are aware, the cost of running a national office and

NOT JUST RESPONDING TO CHANGE, BUT LEADING IT.

Recco, Page 2


providing information and services to its membership throughout the nation is high. Therefore, we have embarked on a fund raising campaign to supplement our limited resources, so that we can better serve our membership and increase our involvement in assuring a greater quality of life for all Americans with Disabilities.

Your commitment to universal health care, which includes people with disabilities is applauded by all of us in the movement. This upcoming dinner and meeting is the big event for persons with disabilities, and as the Keynote Speaker, you will be communicating with the cross-disability leadership. Our membership will also have the opportunity to share with you their concerns about health care reform. The needs of citizens with disabilities in the area of health care is crucial. By you coming together with us we can jointly address the many health care issues which relate to disabled individuals.

It is our hope that you can accept our invitation. Your participation can make a meaningful change in the lives of all people with disabilities. I will contact your office shortly to discuss further details.

Thank you for your attention to our request. We at NCIL look forward to this wonderful opportunity.

Sincerely,



**Denise A. Figueroa
President**

Disabilities Law, Health Hazard

By JAMES BOVARD

The movie "Philadelphia," portraying a law firm's discrimination against an AIDS-infected lawyer, won two Academy Awards Monday night. While the movie is generating sympathy for people with AIDS, little attention is being paid to the people whose lives are being endangered by federal policies that increasingly prevent companies from protecting employees or customers from contagious fatal diseases. Few people realize how expansive the Americans With Disabilities Act is, and how it can threaten their own health.

The Supreme Court laid the groundwork for a broad protection of the rights of contagious people in a 1987 decision that a school board wrongfully fired a teacher with tuberculosis. Under the ADA, passed in 1990, "any physiological disorder or condition which substantially limits one of a person's 'major life activities'" can be classified as a handicap that employers are prohibited from discriminating against. Since contagious diseases are physiological disorders—voilà!—discriminating against people with contagious disease can be a federal crime.

Employers are now required to hire people with contagious diseases unless they can prove that the person poses a large risk to other workers or their customers. The Equal Employment Opportunity Commission, in its implementing regulations for the ADA, announced: "Determining whether an individual poses a significant risk of substantial harm to others must be made on a case by case basis." "Significant risk" was defined in congressional reports authorizing the law as a high probability of substantial harm.

Restaurants are now obliged to give the benefit of the doubt to potentially contagious job applicants. James Coleman, an attorney for the National Council of Chain Restaurants, observed in 1992, "What we were told in no uncertain terms was 'We [Congress] are going to use the restaurant industry as a vehicle for forcing a change in public attitude with respect to AIDS. If it costs you money, too bad.'"

It is extremely unlikely that someone could contract AIDS as a result of eating a meal prepared by an AIDS-infected person, but such individuals often are hit by other illnesses—such as tuberculosis—that are contagious. A Farmington, Conn., restaurant was sued by the state Commission on Human Rights and Opportunities after the restaurant refused to rehire an

AIDS-infected waiter who had taken a leave after coming down with double pneumonia. (The Hartford Courant noted that the waiter "started losing weight and became sluggish and weak. He left food under the warmers too long, and his hands shook so much that he couldn't carry cocktail trays.")

The presumptions created in the ADA can turn every decision about the job and work assignments of a contagious individual into a court battle. Civil-rights policy concerning contagious diseases is influencing firefighting. In a path-breaking case last December, federal judge Joyce Hens Green ruled that the District of Columbia fire department violated an infectious firefighter's civil rights because he was specifically prohibited from doing mouth-to-mouth resuscitation. But the firefighter had hepatitis B, which infects 300,000 people and kills 7,000 people a year.

The biggest impact of the new discrimination-contagion philosophy is on health care. The federal Department of Health and Human Services penalized a Westchester County, N.Y., hospital in 1992 because it prevented an HIV-positive pharmacist from preparing intravenous solutions, even though the hospital did offer the pharmacist another position where there was far less danger of transmitting the disease:

Hospital, the journal of the American Hospital Association, noted that the Westchester hospital "justified its stance by noting its large number of very ill patients and that pharmacists often stick themselves accidentally and must break glass vials in order to prepare IV solutions. In a worst-case scenario . . . pharmacists could stick themselves with a fine-gauge needle and be unaware of it. That needle would then be inserted in a bag with solutions, contaminate the solution, and then infect a patient." But federal officials ruled that the hospital violated the rights of the infectious pharmacist. The hospital was forced to pay him \$330,000 for, among other things, the "emotional damage" it had inflicted on him.

Federal regulations are resulting in a cloak of secrecy being imposed on what may be life-or-death information to patients. The ADA gave health care workers the right to continue performing invasive surgery without disclosing to patients that there is a risk that they could contract AIDS from the health care provider.

There are roughly 7,000 HIV-positive physicians in the U.S. A 1992 Centers for Disease Control study observed that, under one set of assumptions, "the estimated probability that [an HIV-infected] surgeon will transmit HIV at least once during the rest of his/her career is 8.1%."

Even if a doctor with HIV lies to his patients and claims not to be infectious, he is still entitled to full protection under the ADA. Philip Benson, a Minneapolis physician, continued delivering babies and doing invasive genital and rectal examinations for nearly a year after he came down with AIDS; the Minnesota Board of Medical Examiners in September 1990 permitted him to continue practicing even after he had open sores on his hands and arms as long as he wore double gloves. Dr. Benson reportedly lied to his patients when they asked questions about his sores and his sharp weight loss, and also allegedly failed to wear gloves during some examinations.

While many HIV-infected surgeons voluntarily cease practicing, others are not so inclined. In late 1992, an AIDS-infected orthopedic surgeon, sued Mercy Catholic Medical Center of Philadelphia for revoking his hospital privileges. The hospital offered to allow the surgeon to continue practicing if his patients signed consent forms stating that they had been informed of the doctor's HIV status. The surgeon sued. American Medical News noted, "Advocates for people with HIV insist that requiring notification [of patients] is tantamount to revoking [hospital] privileges." The suit is still pending.

The failure of policies that indulge infectious surgeons was made stark in a recent investigation of a UCLA surgeon who spread hepatitis B to 18 patients undergoing heart surgery in 1991-92. Amazingly, the hospital had tested the surgeon, discovered he was infected, and yet still permitted him to continue operating without warning patients of the additional deadly risks they faced. The hepatitis was apparently spread to patients through tiny holes in surgical gloves. The New York Times noted yesterday that "the hospital's decision to allow the surgeon to keep on operating even after he was found to be infected . . . is in compliance with federal guidelines."

The UCLA case makes a mockery of the CDC's universal precautions—which, if followed, supposedly protect patients from infected doctors and dentists. Yet, studies in recent years have found that as many as 47% of gloves suffer from defects, punctures or leaks during surgery.

The ADA is also restricting how health care workers may protect themselves

**REGULATORY
CHOKEHOLD**

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cont

from contagious patients. (The CDC has identified 120 cases of documented or possible occupational transmission of AIDS/HIV to health care workers, and hepatitis B kills over 200 health care workers a year.) The official news magazine of the American Dental Association warned dentists last November that "dentists should be . . . aware that they could be charged with discrimination for using 'extra precaution' " while treating HIV patients.

Unfortunately, federal policy toward contagious diseases seems increasingly simply a question of clout in Washington. In 1990, the International Association of Fire Fighters—a politically powerful union—succeeded in persuading Congress to include a provision in a law requiring that emergency response employees be notified when they had been exposed to airborne infectious disease.

It is peculiar to see how far federal law goes to protect firefighters, infected or otherwise. Firefighters must be notified when they have been exposed to the plague—even though "person-to-person transmission of plague has not been documented since 1924," as a Federal Register notice observed Monday. Firefighters and emergency medical technicians have a federal right to be notified any time they are in the same vehicle with a person with TB—yet hospital patients have no right to be notified when their surgeon is HIV positive, despite the CDC study showing that there could be an 8% chance that an HIV-infected surgeon will effectively kill one of his patients by spreading HIV.

Federal policy makers act as if it is more important to minimize prejudice against people with infectious diseases than to minimize the spread of the diseases themselves. The Americans with Disabilities Act is creating a "civil right" that is the antithesis of individual rights—of freedom of contract—and of the right of informed consent. Maybe someday someone will make a movie about it.

Mr. Bovard writes often on public policy.

Stan Herr

MEMORANDUM TO JOE VALASQUEZ

FROM: Paul Steven Miller
-634 9610
DATE: March 21, 1994
SUBJECT:

4/28-5/2

Need Commitments

Healthcare

Independent Living

- Town Hall Meeting -- May 2, 1994 during the NCIL Meetings
 - Attendance and Participation by the First Lady
 - Co-sponsored by Senators Kennedy and Harkin
- April 28th Gala Fundraiser - 250-350 people.
- Administration Presence??? Carol Rasco???
- July 26th ADA Event →
 - Make it a Healthcare event -- Bush Signed the ADA but did not have the courage to tackle healthcare reform. Healthcare makes the promise of the ADA a reality. President ties healthcare to the ADA. 1000 South Lawn
 - Large gathering of folks on the South Lawn and then they go up to the Hill to lobby for healthcare reform.

Other Issues

- Surrogate Training on Healthcare during the NCIL Meetings
- Lack of Disabled Surrogates Speaking on Healthcare Reform
- National Council on Disability -- disability community is pushing very hard for the resignation of all of the Reagan and Bush appointees

March 17, 1994

MEMORANDUM TO EMILY, POLITICAL AFFAIRS

FROM: DINA DK
RE: COALITION OF CITIZENS WITH DISABILITIES

The following people from the disability community attended the meeting with J. Veronica Biggins on March 16, 1994:

Becky Ogle
Patrisha Wright
Paul March
Denise Rozell
Justin Dart
Ann Marie Hughey
Curt Decker

Mike Lux from Public Liaison also attended the meeting.

Withdrawal/Redaction Marker

Clinton Library

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001. memo	Joe Velasquez to Waves; RE: Personally Identifiable Information [partial] (1 page)	03/16/1994	b(6)

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Political Affairs
Peter Shakow; Joe Velasquez
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2007-0143-F
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March 16, 1994

MEMO TO WAVES

FROM: JOE VELASQUEZ, ROOM 115, EXT 6-6257

RE: WAVE REQUESTS FOR 3/17

Please wave the following people in to see me at 2 PM in Room 115.

- ✓ Curtis Decker
- ✓ Ann Marie Hughey
- ✓ Becky Ogle
- ✓ Denise Rozell
- Leonard Rubinstein
- ✓ Patrisha Wright

[001]
(b)(6)

Thank you.



NATIONAL ASSOCIATION OF DEVELOPMENTAL DISABILITIES COUNCILS

1234 Massachusetts Avenue, NW • Suite 103 • Washington, DC 20005 • 202-347-1234

FAX COVER

TO: Emily - Political

FAX: 456-7929

FROM: Denise Rozell (FAX 202-347-4023)

DATE: 3/16/94 NO. OF PAGES TO FOLLOW: 1

MESSAGE: Emily - Here is a copy of the memo I sent to Peter with the addition of Ann Marie. Thanks!

Denise

Withdrawal/Redaction Marker

Clinton Library

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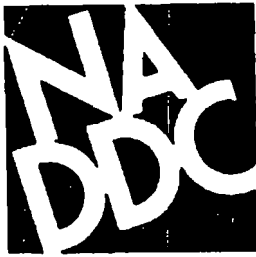
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NATIONAL ASSOCIATION OF DEVELOPMENTAL DISABILITIES COUNCILS

STAN Hair

1234 Massachusetts Avenue, NW • Suite 103 • Washington, DC 20005 • 202-347-1234

TO: Peter Shakow
FROM: Denise Rozell
DATE: March 3, 1994
RE: Attendance at March 17, 1994 Meeting with Joe Velasquez

Peter -

Here are the names and dates of birth of the people who will be attending the meeting at 2:00 pm on March 17, 1994 with Joe Velasquez. I also included their phone numbers in case you need them. Call me if you have any questions.

* Curtis Decker - (b)(6) [002]
National Association of Protection and Advocacy Systems
202-408-9514

* Ann Marie Hughey - (b)(6)
National Council on Independent Living
703-525-3406

* Becky Ogle - (b)(6)
National Association of Medical Equipment Services
703-836-6263

* Denise Rozell - (b)(6)
National Association of Developmental Disabilities Councils
202-347-1234

Leonard Rubinstein - (b)(6)
Bazelon Center for Mental Health Law
202-467-5730

* Patrisha Wright - (b)(6)
Disability Rights Education and Defense Fund
202-986-0375

STAN HARE will also be attending - he's probably the #1 person on WH disability outreach

* Note
These people met w J. Veronica Biggins + Mike Lux yesterday to complain that the WH is ignoring them, etc.

any one else should be there

THE WHITE HOUSE
WASHINGTON

March 29, 1994

MEMORANDUM FOR DAVID KUSNET

From: Joe Velasquez

Subject: Presidential Statements and the Disabled Community

In recent meetings, leaders of the disabled community expressed to me their concern that, while the President does a good job of including diverse groups through his speeches and statements, disabled Americans are perennially left out.

Can your shop help address this problem (whether it is perception or reality)?

Thanks.

MEMORANDUM TO JOE VALASQUEZ

FROM: Paul Steven Miller
-634 9610
DATE: March 21, 1994

SUBJECT:

Stan Hess
Peter
you me
4/28-5/2

Need Commitments

- Town Hall Meeting -- May 2, 1994 during the NCIL Meetings
 - Attendance and Participation by the First Lady
 - Co-sponsored by Senators Kennedy and Harkin
- April 28th Gala Fundraiser - 250-350 people.
- Administration Presence??? Carol Rasco???
- July 26th ADA Event →
 - Make it a Healthcare event -- Bush Signed the ADA but did not have the courage to tackle healthcare reform. Healthcare makes the promise of the ADA a reality. President ties healthcare to the ADA. 1000 South Lawn
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Other Issues

- Surrogate Training on Healthcare during the NCIL Meetings
- Lack of Disabled Surrogates Speaking on Healthcare Reform
- National Council on Disability -- disability community is pushing very hard for the resignation of all of the Reagan and Bush appointees

* COMMUNICATION = INCLUDE PEOPLE WITH DISABILITIES AS PART OF AMERICAN MESSAGE



Removal

NAT ASSOC of DISABLE COUNCILS
people w/ developmental disabilities

CCD civil rights

Derek

protection & advocacy &

legal representation

focus on ADA

Becky

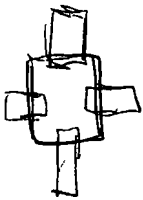
NAT'L ASSOC for Med Eq

LEN

mental

legal & policy issues

Nat'l support center





ADAPT

FREE OUR PEOPLE

JV - Action?
NO

The President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

January 12, 1994

My Dear Mr. President:

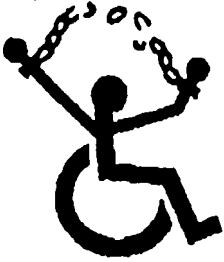
ADAPT (American Disabled for Attendant Programs Today) wants to personally meet with you when ADAPT comes to Washington in April, 1994. The purpose of this meeting will be to discuss your administration's continuing commitment to the inclusion of community-based personal attendant services in the Health Security Act as it works its way through Congress this spring.

ADAPT's position is that no matter what form the Health Security Act takes it must include a section on a community-based attendant services program that every state must participate in. This program must have a minimum set of standards that every state would have to meet, with no exception.

These standards should include, but not be limited to:

1) availability based on functional need, 2) availability for people of all ages, 3) allowing maximum control of the service both in an agency administered system as well as a direct pay situation, 4) availability 24 hours a day, 7 days a week, with provisions for back-up and emergency services, 5) allowing for cost sharing for people with higher incomes, and 6) allowing for health-related tasks to be performed by unlicensed persons in certain instances.

This meeting with ADAPT will show your commitment to make community-based attendant services a reality for the thousands of Americans with disabilities and their families, (regardless of their age or disability) who are faced with institutional placement. The members of ADAPT have personal experience with the institutional bias of our current long-term service system. Many have been warehoused in nursing homes and other large institutions for people with disabilities. They want to meet with you this spring!



ADAPT

FREE OUR PEOPLE

You have talked about the health security that every American should expect. In these talks, however, you have not emphasized how important a community-based, long term service system is for people with disabilities, regardless of age or disability. You emphasize the medical aspects of your program, but do not give as much time to the long-term support needs of people with disabilities. These support services will, in fact, improve the overall health of those receiving services and avoid or delay costly doctor or hospital costs.

Your long-term service plan still keeps nursing home placement as an entitlement, while capping the home and community section of the plan. You must challenge the stranglehold the nursing home industry has on our long-term care system and make home and community based attendant services the focus of your long-term service system.

This meeting could be an opportunity for you to make a major speech on the need for a community based, long term care system in this country. This meeting will focus the American public on the need for these long term in home supports and send a message to the 42 million disabled Americans that your administration is committed to providing the services needed to keep people as independent and productive as possible.

The opportunity for change has never been better. Your leadership is critical if the long term care portion of the Health Security Act is to remain.

We would appreciate your response by March 1, 1994.

For An Institution Free America,

Michael W. Aubarger
National Organizer

12 Broadway • Denver, Colorado 80203 • 303 733 9324

File ✓

Disabilities Law, Health Hazard

By JAMES BOVARD

The movie "Philadelphia," portraying a law firm's discrimination against an AIDS-infected lawyer, won two Academy Awards Monday night. While the movie is generating sympathy for people with AIDS, little attention is being paid to the people whose lives are being endangered by federal policies that increasingly prevent companies from protecting employees or customers from contagious fatal diseases. Few people realize how expansive the Americans With Disabilities Act is, and how it can threaten their own health.

The Supreme Court laid the groundwork for a broad protection of the rights of contagious people in a 1987 decision that a school board wrongfully fired a teacher with tuberculosis. Under the ADA, passed in 1990, "any physiological disorder or condition which substantially limits one of a person's 'major life activities'" can be classified as a handicap that employers are prohibited from discriminating against. Since contagious diseases are physiological disorders—voilà!—discriminating against people with contagious disease can be a federal crime.

Employers are now required to hire people with contagious diseases unless they can prove that the person poses a large risk to other workers or their customers. The Equal Employment Opportunity Commission, in its implementing regulations for the ADA, announced: "Determining whether an individual poses a significant risk of substantial harm to others must be made on a case by case basis." "Significant risk" was defined in congressional reports authorizing the law as a high probability of substantial harm.

Restaurants are now obliged to give the benefit of the doubt to potentially contagious job applicants. James Coleman, an attorney for the National Council of Chain Restaurants, observed in 1992, "What we were told in no uncertain terms was 'We [Congress] are going to use the restaurant industry as a vehicle for forcing a change in public attitude with respect to AIDS. If it costs you money, too bad.'"

It is extremely unlikely that someone could contract AIDS as a result of eating a meal prepared by an AIDS-infected person, but such individuals often are hit by other illnesses—such as tuberculosis—that are contagious. A Farmington, Conn., restaurant was sued by the state Commission on Human Rights and Opportunities after the restaurant refused to rehire an

AIDS-infected waiter who had taken a leave after coming down with double pneumonia. (The Hartford Courant noted that the waiter "started losing weight and became sluggish and weak. He left food under the warmers too long, and his hands shook so much that he couldn't carry cocktail trays.")

The presumptions created in the ADA can turn every decision about the job and work assignments of a contagious individual into a court battle. Civil-rights policy concerning contagious diseases is influencing firefighting. In a path-breaking case last December, federal judge Joyce Hens Green ruled that the District of Columbia fire department violated an infectious firefighter's civil rights because he was specifically prohibited from doing mouth-to-mouth resuscitation. But the firefighter had hepatitis B, which infects 300,000 people and kills 7,000 people a year.

The biggest impact of the new discrimination-contagion philosophy is on health care. The federal Department of Health and Human Services penalized a Westchester County, N.Y., hospital in 1992 because it prevented an HIV-positive pharmacist from preparing intravenous solutions, even though the hospital did offer the pharmacist another position where there was far less danger of transmitting the disease.

Hospital, the journal of the American Hospital Association, noted that the Westchester hospital "justified its stance by noting its large number of very ill patients and that pharmacists often stick themselves accidentally and must break glass vials in order to prepare IV solutions. In a worst-case scenario . . . pharmacists could stick themselves with a fine-gauge needle and be unaware of it. That needle would then be inserted in a bag with solutions, contaminate the solution, and then infect a patient." But federal officials ruled that the hospital violated the rights of the infectious pharmacist. The hospital was forced to pay him \$330,000 for, among other things, the "emotional damage" it had inflicted on him.

Federal regulations are resulting in a cloak of secrecy being imposed on what may be life-or-death information to patients. The ADA gave health care workers the right to continue performing invasive surgery without disclosing to patients that there is a risk that they could contract AIDS from the health care provider.

There are roughly 7,000 HIV-positive physicians in the U.S. A 1992 Centers for Disease Control study observed that, under one set of assumptions, "the estimated probability that [an HIV-infected] surgeon will transmit HIV at least once during the rest of his/her career is 8.1%."

Even if a doctor with HIV lies to his patients and claims not to be infectious, he is still entitled to full protection under the ADA. Philip Benson, a Minneapolis physician, continued delivering babies and doing invasive genital and rectal examinations for nearly a year after he came down with AIDS; the Minnesota Board of Medical Examiners in September 1990 permitted him to continue practicing even after he had open sores on his hands and arms as long as he wore double gloves. Dr. Benson reportedly lied to his patients when they asked questions about his sores and his sharp weight loss, and also allegedly failed to wear gloves during some examinations.

While many HIV-infected surgeons voluntarily cease practicing, others are not so inclined. In late 1992, an AIDS-infected orthopedic surgeon, sued Mercy Catholic Medical Center of Philadelphia for revoking his hospital privileges. The hospital offered to allow the surgeon to continue practicing if his patients signed consent forms stating that they had been informed of the doctor's HIV status. The surgeon sued. American Medical News noted, "Advocates for people with HIV insist that requiring notification [of patients] is tantamount to revoking [hospital] privileges." The suit is still pending.

The failure of policies that indulge infectious surgeons was made stark in a recent investigation of a UCLA surgeon who spread hepatitis B to 18 patients undergoing heart surgery in 1991-92. Amazingly, the hospital had tested the surgeon, discovered he was infected, and yet still permitted him to continue operating without warning patients of the additional deadly risks they faced. The hepatitis was apparently spread to patients through tiny holes in surgical gloves. The New York Times noted yesterday that "the hospital's decision to allow the surgeon to keep on operating even after he was found to be infected . . . is in compliance with federal guidelines."

The UCLA case makes a mockery of the CDC's universal precautions—which, if followed, supposedly protect patients from infected doctors and dentists. Yet, studies in recent years have found that as many as 47% of gloves suffer from defects, punctures or leaks during surgery.

The ADA is also restricting how health care workers may protect themselves

**REGULATORY
CHOKESHOLD**

62

cont!

from contagious patients. (The CDC has identified 120 cases of documented or possible occupational transmission of AIDS/HIV to health care workers, and hepatitis B kills over 200 health care workers a year.) The official news magazine of the American Dental Association warned dentists last November that "dentists should be . . . aware that they could be charged with discrimination for using 'extra precaution' " while treating HIV patients.

Unfortunately, federal policy toward contagious diseases seems increasingly simply a question of clout in Washington. In 1990, the International Association of Fire Fighters—a politically powerful union—succeeded in persuading Congress to include a provision in a law requiring that emergency response employees be notified when they had been exposed to airborne infectious disease.

It is peculiar to see how far federal law goes to protect firefighters, infected or otherwise. Firefighters must be notified when they have been exposed to the plague—even though "person-to-person transmission of plague has not been documented since 1924," as a Federal Register notice observed Monday. Firefighters and emergency medical technicians have a federal right to be notified any time they are in the same vehicle with a person with TB—yet hospital patients have no right to be notified when their surgeon is HIV positive, despite the CDC study showing that there could be an 8% chance that an HIV-infected surgeon will effectively kill one of his patients by spreading HIV.

Federal policy makers act as if it is more important to minimize prejudice against people with infectious diseases than to minimize the spread of the diseases themselves. The Americans with Disabilities Act is creating a "civil right" that is the antithesis of individual rights—of freedom of contract—and of the right of informed consent. Maybe someday someone will make a movie about it.

Mr. Bovard writes often on public policy.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003. memo	Denise Rozell to Peter Shakow; RE: Personally Identifiable Information [partial] (1 page)	03/21/1994	b(6)

COLLECTION:

Clinton Presidential Records
Political Affairs
Peter Shakow; Joe Velasquez
OA/Box Number: 5120

FOLDER TITLE:

Disabled Community

2007-0143-F
db4520

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]



**NATIONAL
ASSOCIATION
OF
DEVELOPMENTAL
DISABILITIES
COUNCILS**

1234 Massachusetts Avenue, NW • Suite 103 • Washington, DC 20005 • 202-347-1234

TO: Peter Shakow
FROM: Denise Rozell *Denise*
DATE: March 21, 1994
RE: Attendance at March 23, 1994 Meeting with Joe Velasquez

Peter -

Here are the names and dates of birth of the people who will be attending the follow-up meeting at 2:30 pm on March 23, 1994 with Joe Velasquez. I also included their phone numbers in case you need them. Call me if you have any questions.

Justin Dart -

(b)(6)

[003]

Curtis Decker -

(b)(6)

National Association of Protection and Advocacy Systems
202-408-9514

Ann Marie Hughey -

(b)(6)

National Council on Independent Living
703-525-3406

Paul Marchand -

(b)(6)

The Arc
202-785-3388

Becky Ogle -

(b)(6)

National Association of Medical Equipment Services
703-836-6263

Denise Rozell -

(b)(6)

National Association of Developmental Disabilities Councils
202-347-1234

Leonard Rubinstein -

(b)(6)

Bazelon Center for Mental Health Law
202-467-5730

Patrisha Wright -

(b)(6)

Disability Rights Education and Defense Fund
202-986-0375

MEMORANDUM TO MIKE LUX, Special Assistant to the President**FROM:** Paul Steven Miller**DATE:** April 1, 1994**SUBJECT:** POTUS Schedule and National Council on Disability Health Care Hearings -- Possibility of Arranging a Meeting with POTUS and Disabled Persons Involved in the Hearings.

In looking at the President's schedule for next week, it appears that he will be in the same areas at the same time as some of the National Council on Disability Health Care Hearings. It would be a terrific hit for us if there is time for the President or First Lady to either (1) make an appearance at one of the hearings or (2) to meet with a group of persons with disabilities who either testified or will testify at the hearings. While I recognize that there may not be the time on his or her schedule to appear or become involved with one of the hearings, *there may be time to arrange a short meeting with a group of persons with disabilities who are in town to testify at the hearing.* The hearing in Topeka, Kansas on April 6, 1994 might present a good opportunity.

Arranging a short meeting with a group of disabled persons involved in the hearings would be less burdensome to the President's schedule, would be relatively easy to set up, and would create tremendous excitement in the disability community. Such a meeting would not be in lieu of any events which are currently being discussed for May 2, 1994 in Washington. I have attached a copy of the schedule of National Council Hearings for your reference. Please do not hesitate to call me about this idea.

Of course, a meeting between the President and/or First Lady and disabled leaders can be arranged in any of the cities in which he or she are planning to do health care events during the next week.

cc: Joe Valasquez



NATIONAL COUNCIL ON DISABILITY

An independent federal agency working with the President and the Congress to increase the inclusion, independence, and empowerment of all Americans with disabilities.

March 11, 1994

Dear Colleague:

The National Council on Disability will host a series of town meetings on making health care reform work for individuals with disabilities. The purpose of these town meetings is to give people with disabilities and interested citizens an opportunity to fully participate in one of the most important issues before us today – health care reform. By paying close attention to the concerns of people with disabilities, we can have a tremendous impact on the scope and quality of future health care options for all Americans.

The town meeting schedule, 8:30 a.m. to 3:30 p.m., is as follows:

- | | | |
|----------|------------------|--|
| March 30 | San Diego, CA | San Diego Hilton, 1775 E. Mission Bay Drive - Capri & Riviera Rooms |
| April 5 | Austin, TX | Texas Rehabilitation Commission, Brown-Heatly Building, 4900 North Lamar Boulevard - Public Hearing Room |
| April 6 | Topeka, KS | Ramada Inn, 420 SE 6th - Grand Ballroom |
| April 9 | New York, NY | Holiday Inn Crown Plaza, 1605 Broadway - Act One Ballroom |
| April 11 | Philadelphia, PA | Holiday Inn City Centre, 1800 Market Street - Peale Ballroom |

We strongly encourage you to participate in the event scheduled in your area. If you have any questions or would like to reserve time for testimony in advance of the event, please contact Ramona Lessen or Mark Quigley at the numbers listed below. Please note that in order to provide time for every participant to let his or her views be known, testimony will be limited to five minutes per person. However, there will be time allotted at the end of each day for participants to meet, summarize their thoughts and forward this information to the Council. Please feel free to post or circulate this invitation to others who may be interested in participating. Also, feel free to reprint this letter or mention these events in any of your upcoming correspondence or newsletter mailings.

Thank you for your work to increase the independence, self-sufficiency, and inclusion of all Americans with disabilities. To accommodate those individuals who have environmental and chemical sensitivities, these meetings will be conducted in a smoke-free atmosphere and will be free of all aromatic fragrances. Also, sign language interpreters will be provided. We look forward to seeing you soon.

Sincerely,

John A. Gannon
Acting Chairperson

MEMORANDUM

TO: Alexis Herman, OPL
FROM: Bob Sevigny, DNC
RE: Events for the Disability Community
DATE: March 29, 1994

You asked for additional information on the two events for the disability community scheduled for May 2 that we previously discussed. Those events are: (1) a march over the Memorial Bridge to the Lincoln Memorial with a series of speeches planned at the Memorial; and (2) a proposed national disability teleconference on health care with the President or First Lady. Details on these events and relevant background information are set forth below:

1. Lincoln Memorial Event

General Outline: This event is designed to emphasize the importance of health care reform and long term care to people with disabilities and to help mobilize the grass roots in support of these goals. The President or First Lady would be asked to make a ten to fifteen minute speech on the impact/benefit of health care reform and long term care on people with disabilities. If we thought it would be useful, an opportunity to take select questions from the audience or meet with representatives from the grassroots of the community could be easily arranged.

Timing/Schedule: As currently planned, the march will begin at Arlington Cemetery and proceed across the Memorial Bridge at approximately 11:30 A.M. It is scheduled to arrive at the Lincoln Memorial at 12:40 P.M. Once the group arrives at the Lincoln Memorial there will be a series of speeches from approximately 1:00 P.M. until 2:00 P.M. The event organizers have provided a tentative schedule for the event (see attachment A) but have stated that they would make whatever adjustments are necessary to conform to the President's or the First Lady's schedule.

Sponsors/Participants: March is sponsored principally by three major groups:

- American Disabled for Attendant Programs Today (ADAPT), a national grassroots disability organization that will come to Washington to demonstrate in favor of health care reform and long term care. ADAPT was in Washington last summer for a march for attendant care services and met with HHS Secretary Schalala.
- National Council on Independent Living (NCIL), perhaps the preeminent national grass roots organization of and by people with disabilities with Independent Living Centers serving people with disabilities in virtually every major metropolitan area in the nation;
- National Rehabilitation Association (NRA), a national organization of persons working in rehabilitation and employment services for persons with disabilities.
- In addition, most national disabilities organizations have national offices and local chapters or affiliates that will be participating in support of this event. If the President were to agree to speak at the Lincoln Memorial the organizers of this event would seek additional sponsors from major disability organizations and other groupings including the Long Term Care Campaign, AARP, and the Health Care Reform Project.

Other Invited Guests: Event organizers have invited Senator Edward Kennedy, Senator Tom Harkin, Representative Major Owens, Representative Pat Schroeder, and Justin Dart to address the audience.

Crowd Size: As currently envisioned, without the President or First Lady, the march is expected to attract approximately 2,300 people. If the President or First Lady were to appear and sufficient advance notice of that fact was given (three to four weeks) crowd size could be substantially increased with cooperation from key organizations in the community. In addition, Justin Dart has offered to commit up to \$10,000 to rent busses to bring people in from nearby communities. Other groups could also be expected to commit resources to bring people in to hear the President.

Media Coverage: March organizers have an excellent track record in attracting media coverage in Washington and have hired media person to work this event. Prime Time Live from ABC and HBO Cable have already committed to cover this event. They have also been very successful in the past in obtaining coverage on CNN. Event organizers have already contacted all local and national media and they will arrange for radio, TV and print media interviews in advance of the main group of arriving in Washington. They will work with invited speakers media people to maximize media coverage. In addition, event planners intend to videotape the entire event and distribute the video tape throughout the community in support of health care reform. Clearly, news that the President or First Lady would address this group would tremendously increase media coverage of the event.

*Positive Considerations: This will almost certainly be one of if not the largest disability event ever held even without the participation of the President or the First Lady. With their participation the event would clearly break all records for this community and would be an excellent vehicle for reaching via free media people with disabilities all across the nation. The audience will be composed of leaders and grassroots activists from the disability community from virtually every state and significant disability organization in the country including many people who would never otherwise have the opportunity to see or hear the President or the First Lady. Opportunities for media coverage will be very good. Event participants will spend the remainder of their time in Washington demonstrating in favor of health reform or lobbying members of Congress in support of health reform and long term care.

*Concerns: Even with a very large crowd by disability community standards (5,000 to 10,000 people) the crowd at the Lincoln Memorial may look small to TV cameras that may cover the event thus diminishing its potential impact. Weather is another imponderable for such a large outdoor event although the event is scheduled to occur rain or shine. Finally, with a crowd this size, it is certainly possible that there may be some people opposed to actions by the President. This is particularly the case if it is perceived that the President has consented or acquiesced to the elimination of long term care from the health care plan. Event organizers have, however, given their word that there will be no negative incidents. With this in mind, the organizers have already told Act Up that they will not be permitted to participate in either the march or the Lincoln Memorial event.

2. National Town Meeting for People with Disabilities

This event was apparently conceived of as either an alternative to or a supplement to the march and Lincoln Memorial event to attract the President or First Lady. The idea is again that it is critically important for the President or the First Lady to address the interests or concerns of people with disabilities to enable us to mobilize the grassroots of the community in support of the community. While few specific details on this proposal have been set, it appears that preliminary discussions were held between Pat Wright and Senator Kennedy's office and with Senator Harkin's staff. No commitments seem to have been made but there was apparently interest in the proposal. In addition, Justin Dart has reserved a large committee room in the Hart Senate Office Building on May 2 that was used for hearings on the American's with Disabilities Act.

The concept is that the audience would be composed of a representative group of people with disabilities (leaders and grassroots) from all over the country that had come to Washington for the Lincoln Memorial event or other disability events occurring around that time. The audience size could number several hundred in the room that has been reserved.

The format would probably be to have the President or First Lady give a brief introduction and overview of the health care and long term care and then allow questions and interaction from the studio audience and from persons at satellite down and up link locations across the country. If Senators Kennedy and Harkin were to participate in this event, they would presumably be given the opportunity to make brief opening statements and also respond to questions. Length of the event would probably be either an hour or an hour and a half.

Down link sites could be set up across the country to permit the principals to interact with a large national audience. Additionally, if the President or First Lady were to agree to appear, discussions would begin with C-Span and other TV networks to arrange for the broadest possible national airing of this event. Finally, the entire event would be videotaped for distribution in the disability community.

*Positive Considerations: The event would have the possibility of reaching a very wide national audience in the disability community. The audience and the questions could be carefully screened so there would be very little likelihood of an embarrassing situation. The room could easily be packed with people so there would be no concerns that the event would look small relative to other events conducted for other constituency groups. Also, there would be no concerns about weather impairing the event. This event would allow the President or the First Lady to directly address and energize the "grassroots" and leadership of the disability community on this critically important issue. This would be an unprecedented event that would clearly indicate the President's interest in this community and that he shares their concerns on this and other important issues.

*Concerns: Clearly, the consensus of the disability community is that it is vital to have an event with the President or the First Lady on the subject of health care regardless of where the

ultimate location is or what forum is chosen. However, holding this town meeting event on the same day as the Lincoln Memorial event could be viewed as undercutting a large grass roots event and slighting some of those who traveled to Washington, at great cost and difficulty, to participate. If the decision is made to choose the televised national town meeting format over the Lincoln Memorial event, one solution to this problem could be to simply hold it on another date either shortly before or after the march or in the morning of the day on the day of the since timing would not be as critical for a teleconference.



ADAPT

FREE OUR PEOPLE

March Participants:

The march participants will be comprised of four different groups;

1. American Disabled for Attendant Programs Today, (ADAPT) members who have come from twenty-eight states to advocate for health care issues related to disability such as personal assistance services.

ADAPT is a grassroots disability rights organization headquartered in Denver with approximately five thousand members in thirty-three states.

ADAPT anticipates having five hundred members attending the march.

2. National Council for Independent Living, (NCIL) members will be holding their annual convention in Bethesda, Maryland.

NCIL is an organization of four hundred Independent Living Center directors and staff who provide services and advocacy directors.

NCIL will have approximately eight hundred members attend the march.

3. The National Rehabilitation Association, (NRA) will be holding their annual convention in Washington D.C..

NRA has over five thousand members who are employed in rehabilitation and employment services for people with disability.

NRA will have approximately five hundred members attend the march.



A D A P T

FREE OUR PEOPLE

4. The Local Disability Community at large are individuals with disabilities who live within one hundred and fifty miles of Washington D.C.. As was the case with the ADA March the local community turned out in large numbers.

The Local Disability Community will have approximately five hundred people attend the march.

It is clear that the Bridge to Freedom March will be the largest disability event ever.



STATE OF TEXAS
OFFICE OF THE GOVERNOR
AUSTIN, TEXAS 78711

ANN W. RICHARDS
GOVERNOR

March 24, 1994

The Honorable William Jefferson Clinton
The President
The White House
1600 Pennsylvania Avenue
Washington, D. C. 20500

Dear Mr. President:

I am writing in support of the provisions for home and community-based care, including attendant services, in your health reform bill.

As you know, today's federal programs and health insurance policies have an institutional bias so people too often are forced into a hospital or nursing home to get the services they need. Living in an institution is usually more costly, and most people would choose to live in their own home rather than enter a hospital or nursing facility. They should have that choice.

In Texas, we are implementing a Medicaid waiver to allow people to receive community-based services rather than being forced into nursing facilities. But to make community-based services available to everyone, we need for them to be covered under the national health reform bill.

Representatives of the national ADAPT organization have requested a meeting with you in May. Members of the Texas chapter of ADAPT are committed and effective supporters of community services, and I believe they can have an impact on national health reform. I hope you can meet with their representatives.

I appreciate your including home and community-based care as a part of health reform.

Sincerely,

A large, stylized handwritten signature in cursive script that reads "Ann Richards".

ANN W. RICHARDS
Governor



ADAPT

FREE OUR PEOPLE

MEDIA:

ADAPT over the past ten years has a long and successful history with the Washington print and visual media. ADAPT has built a local and national credibility with the media.

ADAPT is already in contact with the D.C. media in preparation for our arrival in May. Primetime from ABC and HBO Cable have both committed to follow the events surrounding ADAPT's presence in Washington. All the local and national media have been contacted once. We are now arranging for radio, TV, and Newspaper interviews prior to the main body of ADAPT arriving.

ADAPT will have one person assigned to media relations. Our media specialist has been dealing with the D.C. and national media for more than five years.

ADAPT's media specialist will begin daily contacting the D.C. media approximately two weeks prior to our arrival. At that time we will begin to publicize the May 2, 1994 March.

ADAPT will work with our invited speakers media liaison to insure the maximum media saturation.

PARTICIPANTS

ADAPT has invited Senator Kennedy, Representative Owens, Justin Dart and Representative Shroeder to speak to the disability community attending the march and events at the Lincoln Memorial on May 2, 1994.

At this time not all of our speakers have confirmed their appearance. If the President or the First Lady accept their invitation we will adjust the schedule to accommodate theirs. ADAPT will make any accommodations necessary to our program to permit the President or First Lady to address the crowd.

All speakers will be addressing Health Care Reform and its effects on people with disabilities.



ADAPT

FREE OUR PEOPLE

A BRIDGE TO FREEDOM

HEALTH CARE

MAY 2, 1994

PROPOSED AGENDA

- 11:30 A.M. - March leaves Arlington Cemetery
- 12:40 P.M. - March arrives Lincoln Memorial via Memorial Bridge
- 12:50 P.M. - Music performed by Johnny Creshendo
- 12:55 P.M. - M.C. Bob Kafka welcomes crowd
Introduces Justin Dart
- 01:00 P.M. - Justin Dart Speakers
- 01:10 P.M. - Bob Kafka introduces Rep. Major Owens
- 01:10 P.M. - Rep. Owens speaks
- 01:20 P.M. - Bob Kafka introduces Stefanie Thomas
- 01:20 P.M. - Stefanie Thomas speaks
- 01:30 P.M. - Bob Kafka introduces Senator Ted Kennedy
- 01:30 P.M. - Senator Kennedy speaks
- 01:40 P.M. - Bob Kafka introduces Johnny Creshendo



ADAPT

FREE OUR PEOPLE

A BRIDGE TO FREEDOM

HEALTH CARE

MAY 2, 1994

PROPOSED AGENDA

- 01:40 P.M. - Johnny Creshendo performs
- 01:45 P.M. - Bob Kafka introduces President Clinton
- 01:45 P.M. - President Clinton addresses crowd
- 01:55 P.M. - Bob Kafka thanks the President and
Introduces Michael Auberger
- 01:55 P.M. - Michael Auberger speaks
- 02:05 P.M. - Bob Kafka closes ceremonies
- 02:05 P.M. - Johnny Creshendo performs
- 02:05 P.M. - Crowd begins to disperse
- 02:10 P.M. - Cleaning crew begins
- 02:25 P.M. - Required cleaning ends

Joe -

Since you met w/ disability
types w/ OPL + DVC
thought you may want
to make sure that they
are aware of this. I
don't know if it has
been announced yet.
— J.

ROUTING SLIP

DATE: 4, 18, 94

FROM: Ricki Seidman
Assistant to the President
and Director of Scheduling and Advance

SUBJECT: Galludet University

TO: Speech Writing → Baer
Sheet ✓ X

JOAN BAGGETT _____

PAT GRIFFIN _____

REBECCA CAMERON ✓ _____

JOHN PODESTA _____

MARK GEARAN ✓ _____

JACK QUINN _____

DAVID GERGEN _____

CAROL RASCO _____

CINDY GIRE ✓ _____

BOB RUBIN _____

MARCIA HALE _____

PATTI SOLIS ✓ _____

ALEXIS HERMAN _____

GEORGE STEPHANOPOULOS _____

NANCY HERNREICH ✓ _____

ANN STOCK _____

HAROLD ICKES ✓ _____

CHRISTINE VARNEY _____

PHIL LADER ✓ _____

DAVID WATKINS _____

ANTHONY LAKE _____

ANNA WINDERBAUM Fiji ✓ _____

BRUCE LINDSEY _____

MAGGIE WILLIAMS ✓ _____

MACK McLARTY ✓ _____

MELANNE VERVEER _____

FILE: Accepted _____

JOE VELASQUEZ _____

CC: _____

TONY WILSON ✓ _____

FOR YOUR INFORMATION X _____

Cassie O'Neil X _____

ADVICE _____

ACTION _____

COMMENTS:

(Anna) had U of Nevada - Hope AIRK High that day
obviously can't do. Fiji you may already know this
Colleen

THE WHITE HOUSE
WASHINGTON

Schedule Proposal

3/24/94-- UPDATED

ACCEPT

REGRET

PENDING

TO:

Ricki Seidman, Assistant to the President for
Scheduling and Advance

FROM:

Susan Brophy, Legislative Affairs

REQUEST:

POTUS deliver commencement address, Gallaudet .

PURPOSE:

This is important to Majority Whip Bonior.

BACKGROUND:

Rep. Bonior is a trustee of Gallaudet University. The school recently appointed its first deaf president (after they had originally offered the position to a hearing administrator.) Bonior was a supporter of appointing a deaf president and thinks it would be a nice gesture on your part if you spoke at their graduation ceremony.

Update



At the WH Democratic Caucus reception, 3/23/94, POTUS told Bonior he would do this event.

DATE AND TIME:

May 13, 1994, 1:30 p.m.

DURATION:

To be determined

LOCATION:

University Field House, Gallaudet University, D.C.

PARTICIPANTS:

Faculty, graduates

OUTLINE OF EVENTS:

To be determined

REMARKS REQUIRED:

Speechwriting

MEDIA COVERAGE:

Probably

VICE PRESIDENT'S ATTENDANCE: Optional

RECOMMENDED BY:

Legislative Affairs

CONTACT:

Susan Brophy (x62231), Karen Hancox (x66620)

On 3.23 @ reception
POTUS told Bonior yes

3.24 memo
Ricki needs to ask
POTUS

THE WHITE HOUSE
WASHINGTON

04 MAR 18 AID : 22

Schedule Proposal

3/17/94

ACCEPT

REGRET

PENDING

TO:

3.22
memo

Ricki Seidman, Assistant to the President for
Scheduling and Advance

FROM:

Pending.

Susan Brophy, Legislative Affairs

REQUEST:

POTUS deliver commencement address, Gallaudet .

PURPOSE:

This is important to Majority Whip Bonior.

BACKGROUND:

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VICE PRESIDENT'S ATTENDANCE: Optional

RECOMMENDED BY:

Legislative Affairs

CONTACT:

Susan Brophy (x62231), Karen Hancox (x66620)

GALLAUDET UNIVERSITY

Office of the President
800 Florida Avenue, N.E.
Washington, D.C. 20002-3695
(202) 651-5005

COPY



February 24, 1994

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

My dear Mr. President:

It is with great pleasure that I write to invite you to speak at the 125th Commencement of Gallaudet University on May 13, 1994. Several hundred bright and talented young people from across the country and around the world will be sent off with not only a degree from Gallaudet but with a great sense of self-confidence and a fierce determination to make this world a better place. Our commencement is especially noteworthy in this day and age when disabled citizens are demonstrating as never before that we expect the same rights and responsibilities as our fellow men and women who may be "differently abled."

On this occasion, we would also be honored to present you with an Honorary Degree, recognizing the extraordinary life of public service to which you have long been dedicated.

As you may know, Gallaudet University was established by an Enabling Act passed by Congress and signed into law in 1864 by President Abraham Lincoln. Since that time the University has been honored by the presence of dignitaries from the White House, the Congress, and various departments of the government. The history of these visits records seven former Presidents of the United States including Ulysses S. Grant, James A. Garfield, Chester Arthur, Grover Cleveland, Benjamin Harrison, Theodore Roosevelt and Lyndon B. Johnson.

Since President Lincoln signed Gallaudet's Charter, every sitting President has served as Patron of the University and, beginning with President Lincoln, the diplomas which are awarded to Gallaudet graduates are signed by the President of the United States.

I write today also to explain why your presence at our 125th Commencement would be so special. Recently, one of your fellow Arkansans, Dr. Glenn Anderson, was elected Chairman of the Gallaudet University Board of Trustees. Dr. Anderson is the second deaf person and the first African-American to hold this significant position. You no doubt recall that Dr. Anderson

The President
February 24, 1994
Page Two

served on your Governor's Commission on People with Disabilities from 1983 to 1989 and was Chairman from 1987 to 1989. He is currently Director of Training for the Rehabilitation and Research Training Center for Deaf and Hard of Hearing Persons at the University of Arkansas in Little Rock, where he also holds the rank of professor. His wife, Karen, worked with Judy Steelman, the Volunteer Coordinator at Clinton/Gore Headquarters in Little Rock, where she assisted in opening up your campaign to deaf people through staff training in the use of TDDs and how to handle TDD calls.

In addition, our Vice President for Academic Affairs, Dr. Roslyn Rosen, was a member of your transition team in her (then) capacity as President of the National Association of the Deaf.

Finally, one of our most outstanding students, Warren Snipe, was honored to be invited to the Martin Luther King Day celebration at Howard University where you spoke. Warren was chosen to bring greetings on behalf of Gallaudet University on this occasion. He recounted to me with great excitement how he had met you at the White House reception later that day and personally invited you to attend his commencement ceremonies this coming May.

Mr. President, please consider according Dr. Anderson, Warren, our wonderful class of graduates and their families and friends the great honor of your presence at Gallaudet's 125th Commencement on Friday, May 13, 1994, at 1:30 p.m. in our University Field House.

Your presence on this occasion would continue the long tradition of Presidential visits to this national and international center of learning for deaf people, and would be perceived by disabled people across the nation and those who serve them as an expression of your continued interest and concern for those Americans who have an additional challenge in life and who meet this challenge boldly.

I await with great hope your favorable acceptance of this invitation to address the Gallaudet University Class of 1994 in the name of the high office which you hold as Patron of this University.

Sincerely,

/s/

I. King Jordan
President

IKJ/mtd



OFFICE OF POLITICAL AFFAIRS

PHONE: • (202) 456-6257
FAX: (202) 456-7929

JOE VELASQUEZ TOM EPSTEIN RETA LEWIS LINDA MOORE

PETER SHAKOW JOE TRAHERN KAREN ANDERSON

OTHER _____

To:

Cindy Gire

Date:

of Pages 2
(including cover)

Fax Number:

66298

Office Number:

Message:

CONGRESSIONAL DELEGATION

New Jersey has 13 members in the House of Representatives; seven Democrats and six Republicans. Both Senators are Democratic.

U.S. Senator Bill Bradley (D) has served since 1979. He currently serves on the Energy & Natural Resources; Finance; and Special Aging Committees. Senator Bradley was one of the biggest supporters of NAFTA in the Senate and led the fight for the treaty on the Senate floor. He is not up for re-election until 1996.

U.S. Senator Frank R. Lautenberg (D) has served since 1983. He currently serves on the Appropriations; Budget; Environment & Public Works and Small Business committees. Senator Lautenberg voted against the President's budget package this spring and against the NAFTA in November. He is up for re-election this year.

New Jersey's 4th Congressional District. Republican Christopher Smith represents Trenton and its eastern surroundings. In his seventh term, Smith has a surprisingly strong reelection rate for a Republican in this Democratic town. His main focus in Congress has been abortion -- he was executive director of the New Jersey Right to Life Committee before being elected -- and he has gained somewhat of a national following for his high profile opposition to the Freedom of Choice Act and other pro-choice legislation. His position on this issue matches that of many of his (predominantly Catholic) constituents. His interest extends to children's issues.

The other members of the New Jersey Congressional Delegation are:

<i>Rep. William J. Hughes (D)</i>	Rep. Jim Saxton (R)
<i>Rep. Frank Pallone, Jr. (D)</i>	Rep. Christopher H. Smith (R)
Rep. Robert C. Torricelli (D)	Rep. Marge Roukema (R)
Rep. Robert Menendez (D)	Rep. Bob Franks (R)
Rep. Robert E. Andrews (D)	Rep. Dean Gallo (R)
<i>Rep. Herbert C. Klein (D)</i>	Rep. Dick Zimmer (R)
Rep. Donald Payne (D)	

Notes:

Representatives who voted for the NAFTA are in bold.

Representatives facing difficult races are in italics.

why?
Here?

Give some
Demos for
this
District

Therefore, when you
will be speaking is
in the

THE WHITE HOUSE
WASHINGTON

March 29, 1994

MEMORANDUM FOR CINDY GIRE

X b 6640

From: Joe Velasquez

Subject: National Council for Independent Living Speaking Request

The National Council for Independent Living (NCIL) would be honored to have Mrs. Gore as a speaker for their gala dinner here in Washington on April 28, and I hope you will give the invitation full consideration.

The NCIL is one of the nation's premier organizations that promotes the rights of disabled people, serving as a national voice for the independent living movement, playing a key role in the passage of the Americans with Disabilities Act and keeping a watchful eye on its implementation. (This year marks the final stage in the law's implementation.)

Approximately 250 - 300 of the organization's (and the disabilities rights movement's) top political activists and opinion leaders will attend this dinner, which kicks off their annual meeting. It will be a terrific opportunity to address the concerns this group has regarding the health care reform plan as it relates to the disabled community.

Many leaders and grassroots activists in this constituency group are angry with the lack of attention their special needs with regard to health care reform have been given. Mrs. Gore's presence at the dinner would go a long way towards assuaging their discontent.

Please advise.

Thanks.

**PRESIDENTIAL APPOINTEES WITH DISABILITY
PUBLICLY ANNOUNCED**

4/26/94

APPOINTEE		POSITION			Type
Last Name	First Name	Title	Designation	Dept/Agency	
Heumann	Judith	Asst Secretary	Special Educ & Rehab Service	Education, Department of	PAS
Torres-Gil	Fernando	Asst Secretary	Aging	Health & Human Svcs, Dept of	PAS
Lindsay	Reginald C	Judge	Massachusetts	Judges, US District Court	PAS
Acheson	Eleanor D	Asst Atty Gen	(Legal Policy)	Justice, Department of	PAS
Verderber	Nancy	Member		Presidential Scholars, Comm on	PA
Brown	Jesse	Secretary		Veterans Affairs, Department of	PAS
Vogel	Raymond J	Under Secretary	Benefits	Veterans Affairs, Department of	PAS
Brickhouse	Eugene A	Asst Secretary	(Human Resources & Admin)	Veterans Affairs, Department of	PAS
Starkloff	Max	Member		WH Fellowships, Pres Comm on	PA
Bristo	Marca	Chair & Member		Disability, National Council on	PAS
O'Day	Bonnie	Member		Disability, National Council on	PAS
Wolters	Kate P	Member		Disability, National Council on	PAS
Alioto	Michele	Member		Disability, National Council on	PAS
Walker	Hughey	Member		Disability, National Council on	PAS
Schroeder	Fredric K	Commissioner	Rehabilitation Services Admin	Education, Department of	PAS
Jacobson	Neil	Vice-Chair		Employment of People with Disabilities, President's Cmte on	PA

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

4/26/94

Last Name	First Name	Title	Area	Dept/Agency	Type
Aamodt	RV	Mail Analyst	White House Correspondence	The White House	AD
Allam	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
Breedlove	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
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
Izkoff	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	Special Assistant	Office of the Secretary	Education, Department of	C
Pearstein	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

THE WHITE HOUSE
WASHINGTON

ATTORNEY CLIENT PRODUCT
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FOR INTERNAL DISTRIBUTION ONLY

June 22, 1994

MEMORANDUM FOR WHITE HOUSE DISABILITIES EVENT PLANNING GROUP
TODD CAMPBELL
CHRIS CERF
JOE VALASQUEZ
DEBBIE FINE
MIKE LUX
BOB BOORSTIN
PAUL MILLER
STAN HERR

FROM: JOEL KLEIN
MARVIN KRISLOV *M/K*

RE: Future Plans

In our initial meeting, we discussed various tasks to be undertaken in connection with the planned July 26 event to celebrate the anniversary of passage of the ADA. We have planned a meeting for this Friday, June 24 at 2:00 p.m. in ~~the Eisenhower Room~~ *Room 211* of the White House Conference Center and have invited selected outside persons to attend. Below please find a list of tasks and suggested assignments; your input is welcome.

We anticipate the Friday meeting will focus on the July 26 event. We hope that other groups will meet and begin work on other tasks in the meantime.

1. Event Planning
Confirm date. Coordinate with community.
Involve agencies and identify activities, speakers, etc.

All hands--Valasquez, Miller, etc.
2. Record of Accomplishments/Message:
In preparation for event but also in general terms.
Need to coordinate with agencies to identify accomplishments, prepare materials, and pinpoint future goals.

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

Sec. 3.2(C) Initials: JB Date: 11/6/17

Herr, Boorstin, Fine, Lux along with agencies esp.
Savage (DOJ), Labor, Education, SBA, EEOC

3. White House Coordinator for Disabilities Issues:
We need to obtain the position and select the person.

Klein, Miller, Campbell (?)

4. Other Appointments
Expedite vetting for Access Board, Council on
Disability, and Council on Mental Retardation.

Miller, Krislov

5. White House Accessibility Issues.
Work with GSA and/or persons in complex to identify
areas of concern, and remedy.

Cerf, Campbell

OFFICE OF THE VICE PRESIDENT
WASHINGTON

TO: *Joe*

FROM: Michela Alioto
Deputy Assistant for Domestic Policy

Mil

Per our conversation, I have attached a short memo on a couple of ideas I have for ~~an~~² ADA events ~~for~~ on July 26.

Unfortunately, because I am leaving for a little over a week (I'll be back on June 26) I have been trying to tie up some loose ends & was not able to put together a detailed outline on the OTRB issue at DOT. I gave you a ~~rough~~ rough sketch of what has transpired. The project, however, is being spearheaded by Stephen Kaplan, General Counsel &

over

Frank Kruesi, Asst. Sec. for
Transportation Policy at DOT.

If you need me for anything
you can leave me a message on at
(202) 333-2020.

I'd like to be a part of
this if you decide to run w/
these ideas or not - so let
me know.

Thanks —

Michaela

THE WHITE HOUSE
WASHINGTON

July 5, 1994

MEMORANDUM FOR MARVIN KRISLOV

From: Joe Velasquez

Subject: ADA Event

I asked Michela Alioto to put together her thoughts on a possible ADA event a few weeks ago.


We should take her thoughts into account as we make final plans for the event on the 26th.

Please advise.

Thanks.

June 13, 1994

MEMORANDUM FOR JOE VALESQUEZ

FROM: MICHELA ALIOTO 
RE: POSSIBLE ADA EVENTS ON JULY 26

ISSUE

The issue at hand is a home-run ADA event to solidify the Administration's support for the ADA while publicly reemphasizing its importance to the Administration. I think I may have such an event.

BACKGROUND

When the ADA was enacted it gave one very significant provision -- it excluded over-the-road-buses (OTRB's), basically Greyhound buses, from complying with the ADA until 1996. By that time, DOT was to come up with a decision on how OTRB's would satisfy the ADA. In the meanwhile, OTA was commissioned to look into the matter and supply DOT with an assessment of the cost as well as a recommendation for implantation.

In their report, OTA supported making all new OTRB's accessible. The OTA report was subsequently sent to DOT and later disseminated among the Assistant Secretaries for full consideration and comment. Those comments were then sent to the Secretary for a decision.

Word has it that Secretary Pena agrees with OTA's recommendations and will approve them with one exception. DOT would like to see the subsidies marked in the National Highway Systems Bill go through -- they just passed in the House. If they go through, Pena is expected to back OTA's recommendations

ADA EVENT WITH THE PRESIDENT

As you know, transportation is an intrinsic part of Title II of the ADA. Its importance rests in the fact that it insures independence for people with physical disabilities.

Agreeing with and supporting the disability community by requiring OTRB accessibility, while continuing to otherwise implement the ADA -- as we have begun to do here in the White House -- would solidify our relationship with this constituency while strengthening our bond of support.

An announcement of this magnitude would be historic and would set a strong precedence for the Administration's support of the ADA. It would cement a much needed relationship with the disability community, and we would be supplying them with a victory Bush was unable to win.

ADA EVENT WITH THE VICE PRESIDENT

In addition, Vice President Gore's co-sponsorship of the ADA as a Senator makes him an important asset of this day's events. Considering his work on the NII and the NII's importance to people with disabilities, I thought he should do a separate telecommunications event after the President's.

The theme; "A White House Accessible To All People" would give the Vice President the forum to show off the accessible forms of telecommunications products that will be available to insure compliance with Title IV of the ADA; while, once again, showing the Administration's support of the ADA.

RECOMMENDATIONS

- Ensure that DOT supports OTA's recommendations.
- **Primary Event:** An announcement by the President with Secretary Pena of the Administration's support of OTRB accessibility.
- **Secondary Event:** A demonstration by the Vice President of NII accessibility.