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Collection/Record Group: Clinton Presidential Records

Subgroup/Office of Origin: Public Liaison

Series/Staff Member: William White, Jr.

Subseries:

OA/ID Number: 14204

FolderID:

Folder Title:

ADA [Americans with Disabilities Act] 1996

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Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. list	Disability Community Leaders; RE: Personally Identifiable Information [partial] (3 pages)	07/26/1996	b(6)

COLLECTION:

Clinton Presidential Records
Public Liaison
William White, Jr.
OA/Box Number: 14204

FOLDER TITLE:

ADA [Americans with Disabilities Act] 1996

2007-0143-F
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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]

THE WHITE HOUSE

Office of the Press Secretary
(Milwaukee, Wisconsin)

For Immediate Release

May 23, 1996

REMARKS BY THE PRESIDENT
BY SATELLITE
TO THE PRESIDENT'S COMMITTEE ON
EMPLOYMENT OF PEOPLE WITH DISABILITIES CONFERENCE
IN DETROIT, MICHIGAN

9:35 A.M. CDT

THE PRESIDENT: Thank you very much, Tony, for your remarks, your support, your friendship and your leadership of the committee. I want to say hello to the others who are there -- to John Sweeney and Al Checchi. I want to say a special word of thanks to my good friend, Justin Dart who I know had to leave, but who has been a real champion for Americans with disabilities; indeed, for the rights and interests of all Americans.

I want to say a special word of greeting to the vice chairs of the Committee - Lenore Miller, I. King Jordan, Karen Meyer, Neil Jacobson, Dr. Sylvia Walker, and Ron Drach.

Thank you, all of you who are there, for your very warm welcome. I'm sorry I couldn't join you in person today, I have to be in Milwaukee with the German Chancellor. But I didn't want to miss this opportunity to talk with you about what we must do together to ensure the full participation of the 49 million Americans with disabilities in the vibrant life and economy of our great country.

Three and a half years ago, when I took the oath of office, I had a very clear vision of what I hoped our country could be like as we move into the 21st century. I wanted us to be a country that offers great opportunities to all who are willing to work for them. I wanted us to remain the world's strongest force for peace and freedom. And I wanted us to rebuild our sense of unity and community around the shared ethic of responsibility and a respect for diversity.

Together we've made great progress toward achieving those goals. Our economic strategy to reduce the deficit, expand trade, and invest in our people is paying off. The deficit is now less than half of what it was four years ago. We have 8.5 million more jobs, the lowest combined rates of inflation, mortgage rates an unemployment in 27 years. Homeownership is at a 15-year high, and we have all-time highs in exports and new business

formations for each of the last three years.

We've also worked hard to increase educational opportunities for all Americans - from more positions for children in Head Start, to more affordable college loans, to the national service program. We've done our part to fight to lower the crime rate by passing a Crime Bill which is putting 100,000 police officers on the street, banning assault weapons, and passing the Brady Bill which has kept 60,000 people with criminal records or other disturbing histories from getting handguns. (Applause.) And we have maintained our commitment to a clean, safe environment for all Americans.

Compared to four years ago, the world is also a safer and more peaceful place. The nuclear threat is diminished. No weapons are pointed at the people of the United States. Peace and freedom are taking hold from Haiti to South Africa, to Northern Ireland, to Bosnia, to the Middle East. We have moved a long way in three and a half years.

But today I want to talk to you about our country's future, especially in terms of that first objective - expanding opportunities for every American who is willing to take responsibility for making the most of his or her God-given abilities. The theme of your conference is "Investing in Abilities." That's been something we've tried very hard to do and something I intend to keep on doing.

In 1992, I issued a challenge to our nation. I said we must not rest until America has a national disability policy based on three simple creeds: inclusion, not exclusion; independence, not dependence; and empowerment, not paternalism. (Applause.) I remain committed to that vision, and I want to thank all of you for working so hard with us to make it a reality. More than ever before in our history, America's greatness in the next century will depend upon the ability of all our citizens to make the most of their own lives. Americans with disabilities are an enormous, largely untapped reservoir of that potential.

Employment is the key to economic security for Americans, including people with disabilities. Even though we have created 8.5 million new jobs, it remains a tragedy today that two-thirds of people with disabilities are unemployed. And it's up to all of us - employers, labor, people with disabilities, and government - to work together to change this picture.

In the past four years, we have made progress. We're fighting to make sure that people with disabilities have health care and the living wages they need to live independently. Our strong commitment to the Americans with Disabilities Act has opened up town halls, schools, transportation systems, workplaces, grocery stores, restaurants and movie theaters to millions of people with disabilities. Our 1997 budget calls for an increase in funding for ADA enforcement at the Department of Justice. (Applause.)

The Individuals with Disabilities Education Act is preparing students with disabilities to get their share of the high-wage jobs that are opening up in this new economy. I know how much the IDEA means to millions of students with disabilities and to their parents. I strongly support it. (Applause.)

High school graduates with disabilities who went to school under IDEA have an employment rate of twice that of the overall population of individuals with disabilities. We're building on this achievement by supporting efforts like your "High School/High-Tech" program that is guiding promising students to college and careers in science and technology. We're making sure people with disabilities are included in our School-To-Work efforts.

No one - no one - should have to go through what Judy Heumann went through to get an education in our country. She's been a pioneer in the struggle for the rights of people with disabilities. She developed polio when she was 18 months old and she was denied the right to attend public school until the fourth grade. She had to sue to get a teaching job that was denied her because she uses a wheelchair. And during the '70s, she participated in a sit-in that led to the creation of the Individuals with Disabilities Education Act. As my Assistant Secretary for Special Education and Rehabilitative Services at the Department of Education, she now runs IDEA. That is a remarkable story, and we need more of them. (Applause.)

But you and I know the ADA and the IDEA alone will not achieve our vision of inclusion, independence, and empowerment for people with disabilities. That's why I fought so hard for measures like the Family and Medical Leave Act.

And today I'm announcing that as a result of your work, federal agencies are now developing a better system for tracking the unemployment rate of people with disabilities. This new system will strengthen our ability to include people with disabilities in all our employment policies and programs. In addition, I've asked the Secretary of Commerce to work with the President's Committee and relevant federal agencies to recommend to me ways that we can ensure that people with disabilities are included in all our efforts to assist entrepreneurs and small businesses. So we are making progress. (Applause.)

But let me say there is more to do. First, we must preserve the guarantee of Medicaid coverage for people with disabilities. For three decades Americans have stood on common ground about the need for guaranteed Medicaid coverage for older Americans, pregnant women, low-income children, and people with disabilities. But last year Congress sent me legislation to repeal that guarantee - legislation that would have taken away health care coverage from millions of Americans who need it most. I vetoed that legislation, and if they send it to me again and they want to repeal the guarantee, I will veto it again. (Applause.)

Let me be clear. We can balance this budget without repealing guaranteed Medicaid coverage for the six million Americans with disabilities who depend upon it, including one million children. Medicaid is a family issue, as people with disabilities know, which makes it possible for more people to get care at home and in their communities. Without the guarantee, a middle-class family with a child with a severe disability could be forced into poverty to pay for the child's medical care. Parents could be forced to give up their jobs to stay home to care for a child. Children and adults who live independently today might be forced into institutions. I will not let that happen. (Applause.)

The second thing we have to do is to strengthen the health security of people with disabilities and, indeed, for all Americans, with the passage of the Kennedy-Kassebaum health

insurance reform bill. This legislation would not allow insurance companies to deny coverage for anybody with a preexisting condition, and will allow people to keep their health insurance if they change jobs or if someone in the family gets sick. So I urge Congress to stop stalling and pass the bill now, as one important step forward. (Applause.)

Finally, let me say I've called on Congress to increase the minimum wage, which will benefit millions of Americans with disabilities who face extra costs for accessible housing and personal assistance. We need that. (Applause.)

All of you know that America is in the best position to be a winner in the global economy of the 21st century because of the depths of our values, the strengths of our diversity, the power of our economy. But we don't have a person to waste. We have to continue to expand opportunity and demand responsibility from all of our citizens. And that means inclusion, not exclusion. (Applause.)

Again, let me thank you, all of you, for everything you've done and for everything you will do. Thank you for the progress we've made and the progress we still will make.

Just last week, I had a very moving visit with Christopher Reeve in the Oval Office, and I mentioned to Christopher that in 1933 the Oval Office was the first government office designed specifically to be accessible to accommodate President Roosevelt. He said to me that it was too bad, that at the time, he had to hide his disability.

I hope with Christopher Reeve that as the Roosevelt Memorial becomes a reality, with your efforts to remove the stigma of disability, they'll find a way to make sure that the American people know that this great, great President was great with his disability.

Thank you all, and God bless you. (Applause.)

9:46 A.M. CDT

THE WHITE HOUSE

WASHINGTON

July 18, 1996

I am pleased to join with all Americans in celebrating the sixth anniversary of the Americans with Disabilities Act.

I declared when I ran for President in 1992 that America must have a national disability policy based on three simple creeds: inclusion, independence, and empowerment. We must make sure that all Americans understand it is just as wrong to discriminate against someone because of a disability as it is to discriminate against someone because of race, gender, or religion. We must make sure that all Americans understand that excluding someone from full participation in society simply because of a disability is simply wrong.

The promise of the ADA -- and all other disability rights laws -- will never be fully realized until we rise to these challenges. To do that we must first make sure that the ADA is consistently and vigilantly enforced. My Administration has made vigorous enforcement of all laws protecting people with disabilities a top priority. And we will stay this course until all barriers against individuals with disabilities come down. Consistent with this commitment, my budget for 1997 proposes a 3.9 percent increase in the resources available to enforce the ADA. We are on the path to balancing the budget in seven years; funds are tight all across the government; but this is a national priority.

As we celebrate the sixth anniversary of the ADA, we must remember that a civil rights law alone will not achieve our goal of inclusion, independence, and empowerment for people with disabilities. That is why we passed the Family and Medical Leave Act -- and why I have proposed extending it so that employees can take time off for their children's or parents' routine medical visits.

And that is why I am committed to preserving our national guarantee of Medicaid coverage for people with disabilities. For over 30 years, Medicaid has been a lifesaver for millions of Americans. The Republican Congress sent me legislation to repeal that guarantee. I vetoed it last year, and I will veto it again if they send it to me again.

And we must strengthen the Individuals with Disabilities Education Act. IDEA makes it possible for students with disabilities to take full advantage of the opportunities of the new global economy and the information revolution. I know how much IDEA means to the millions of students with disabilities and to their parents, and I strongly support it. Each of us must do whatever we can to expand opportunity and demand responsibility from all of our citizens. We can't afford to waste a single person as we go forward toward the twenty-first century. You can count on this Administration to do its part, and I know I can count on Americans across our great land to do theirs.

Bill Clinton

**PRESIDENT WILLIAM J. CLINTON
VIDEOTAPED REMARKS
SIXTH ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT**

I am pleased to join with all Americans to celebrate the sixth anniversary of the Americans with Disabilities Act.

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Bill Clinton

A DECLARATION, A CALL TO ACTION

**BY REPRESENTATIVES OF 49 MILLION AMERICANS WITH
DISABILITIES, THEIR FAMILIES AND THEIR ADVOCATES**

TODAY, AMERICA STANDS AT AN HISTORIC CROSSROADS. The coming months will see elections, public dialogue and government action that could determine the fate of people with disabilities - and of democracy itself - for years, perhaps generations to come. In that context, we of the disability community - Republicans, Democrats and independents - make the following declaration.

THE AMERICANS WITH DISABILITIES ACT AND THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT ARE SACRED TO PEOPLE WITH DISABILITIES.

WE ARE UNITED in irrevocable commitment to the full legal equality of all people who have a physical or mental disability. No person's rights should be unprotected because he or she happens to have an unpopular disability.

WE CALL ON NATIONAL, STATE AND LOCAL GOVERNMENT, the private sector, the public media and the disability community to make full implementation of the ADA and the IDEA a first priority.

WE WILL COOPERATE 100% to achieve harmonious, cost effective, implementation of the ADA and the IDEA. We will work with individuals, businesses and government at all levels to create common sense solutions that meet the particular needs of different parties and situations. But we will fight to the end of time any change in law, regulation or enforcement that weakens our fundamental equality as set out in the ADA and the IDEA.

WE SUPPORT EMPHASIS ON EDUCATION AND MEDIATION. We believe in greatly increased efforts to inform those immediately impacted by the ADA and the IDEA - and all Americans - about their obligations and opportunities under the laws. Priority must be given to encouraging voluntary compliance. Every effort must be made to minimize hostility and litigation. However, there must be no hesitation to litigate when appeals to reason are ignored and blatant violations continue.

WE CALL ON CONGRESS to provide increased funding that will enable federal, state and local agencies to fulfill their ADA and IDEA responsibilities efficiently. Resources spent on education about the laws and proactive enforcement now, will greatly reduce litigation and other expensive procedure in the future.

WE CALL ON ALL MEMBERS OF THE DISABILITY COMMUNITY to become fully active in the '96 election campaigns. We must demand commitments from all candidates that they will fully support the ADA, the IDEA and all the laws and programs that make our rights real in every day life. We must register and vote. We must contribute to campaigns, volunteer to work in campaigns of good candidates of all parties.

WE CALL ON ALL MEMBERS OF THE DISABILITY COMMUNITY to communicate the truth about people with disabilities, the ADA and the IDEA through the public media. Let no misinformation go uncorrected. Let no assault on our rights go unprotested. Let no positive report go unappreciated. Let no opportunity for communication of our truth go unfulfilled.

FINALLY, IT IS SELF-EVIDENT that every person in this nation has a vested interest in the success of the ADA and the IDEA. Disability will occur at some point in the lives of most individuals, certainly in the life of every family. Enabling people with disabilities to move from welfare to employment, from isolation to active participation in their communities will profit governments, businesses, families and taxpayers. It will strengthen America's ability to compete in world markets. It will increase the prosperity and the quality of life of every family and community.

ADA AND IDEA ARE LAWS FOR ALL AMERICANS. WE CALL ON ALL AMERICANS to join us in keeping the sacred pledge: "One nation, under God, indivisible, with liberty and justice for all."

January 25, 1996

Info on
ADA

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MYTHS AND FACTS ABOUT THE AMERICANS WITH DISABILITIES ACT

MYTH: ADA suits are flooding the courts.

FACT: The ADA has resulted in a surprisingly small number of lawsuits -- only about 650 nationwide in five years. That's tiny compared to the 6 million businesses; 666,000 public and private employers; and 80,000 units of state and local government that must comply.

MYTH: The ADA is rigid and requires businesses to spend lots of money to make their existing facilities accessible.

FACT: The ADA is based on common sense. It recognizes that altering existing structures is more costly than making new construction accessible. The law only requires that public accommodations (e.g. stores, banks, hotels, and restaurants) remove architectural barriers in existing facilities when it is "readily achievable", i.e., it can be done "without much difficulty or expense." Inexpensive, easy steps to take include ramping one step; installing a bathroom grab bar; lowering a paper towel dispenser; rearranging furniture; installing offset hinges to widen a doorway; or painting new lines to create an accessible parking space.

MYTH: The government thinks everything is readily achievable.

FACT: Not true. Often it may not be readily achievable to remove a barrier -- especially in older structures. Let's say a small business is located above ground. Installing an elevator would not, most likely, be readily achievable -- and there may not be enough room to build a ramp -- or the business may not be profitable enough to build a ramp. In these circumstances, the ADA would allow a business to simply provide curbside service to persons with disabilities.

MYTH: The ADA requires businesses to remove barriers overnight.

FACT: Businesses are only required to do what is readily achievable at that time. A small business may find that installing a ramp is not readily achievable this year, but if profits improve it will be readily achievable next year. Businesses are encouraged to evaluate their facilities and develop a long-term plan for barrier removal that is commensurate with their resources.

MYTH: Restaurants must provide menus in braille.

FACT: Not true. Waiters can read the menu to blind customers.

MYTH: The ADA requires extensive renovation of all state and local government buildings to make them accessible.

FACT: The ADA requires all government programs, not all government buildings, to be accessible. "Program accessibility" is a very flexible requirement and does not require a local government to do anything that would result in an undue financial or administrative burden. Local governments have been subject to this requirement for many years under the Rehabilitation Act of 1973. Not every building, nor each part of every building needs to be accessible. Structural modifications are required only when there is no alternative available for providing program access. Let's say a town library has an inaccessible second floor. No elevator is needed if it provides "program accessibility" for persons using wheelchairs by having staff retrieve books.

MYTH: Sign language interpreters are required everywhere.

FACT: The ADA only requires that effective communication not exclude people with disabilities -- which in many situations means providing written materials or exchanging notes. The law does not require any measure that would cause an undue financial or administrative burden.

MYTH: The ADA forces business and government to spend lots of money hiring unqualified people.

FACT: No unqualified job applicant or employee with a disability can claim employment discrimination under the ADA. Employees must meet all the requirements of the job and perform the essential functions of the job with or without reasonable accommodation. No accommodation must be provided if it would result in an undue hardship on the employer.

MYTH: Accommodating workers with disabilities costs too much.

FACT: Reasonable accommodation is usually far less expensive than many people think. In most cases, an appropriate reasonable accommodation can be made without difficulty and at little or no cost. A recent study commissioned by Sears indicates that of the 436 reasonable accommodations provided by the company between 1978 and 1992, 69% cost nothing, 28% cost less than \$1,000, and only 3% cost more than \$1,000.

MYTH: The government is no help when it comes to paying for accessibility.

FACT: Not so. Federal tax incentives are available to help meet the cost of ADA compliance.

MYTH: Businesses must pay large fines when they violate the ADA.

FACT: Courts may levy civil penalties only in cases brought by the Justice Department, not private litigants. The Department only seeks such penalties when the violation is substantial and the business has shown bad faith in failing to comply. Bad faith can take many forms, including hostile acts against people with disabilities, a long-term failure even to inquire into what the

ADA requires, or sustained resistance to voluntary compliance. The Department also considers a business' size and resources in determining whether civil penalties are appropriate. Civil penalties may not be assessed in cases against state or local governments or employers.

MYTH: The Justice Department sues first and asks questions later.

FACT: The primary goal of the Department's enforcement program is to increase voluntary compliance through technical assistance and negotiation. Under existing rules, the Department may not file a lawsuit unless it has first tried to settle the dispute through negotiations -- which is why most every complaint settles.

MYTH: The Justice Department never files suits.

FACT: The Department has been party to 20 suits under the ADA. Although it tries extensively to promote voluntary compliance, the Department will take legal action when entities continue to resist complying with the law.

MYTH: Many ADA cases involve frivolous issues.

FACT: The Justice Department's enforcement of the ADA has been fair and rooted in common sense. The overwhelming majority of the complaints received by the Justice Department have merit. Our focus is on fundamental issues related to access to goods and services that are basic to people's lives. We have avoided pursuing fringe and frivolous issues and will continue to do so.

MYTH: Everyone claims to be covered under the ADA.

FACT: The definition of "individual with a disability" is fraught with conditions and must be applied on a case-by-case basis.

MYTH: The ADA protects people who are overweight.

FACT: Just being overweight is not enough. Modifications in policies only must be made if they are reasonable and do not fundamentally alter the nature of the program or service provided. The Department has received only a handful of complaints about obesity.

MYTH: The ADA is being misused by people with "bad backs" and "emotional problems."

FACT: Trivial complaints do not make it through the system. And many claims filed by individuals with such conditions are not trivial. There are people with severe depression or people with a history of alcoholism who are judged by their employers, not on the basis of their abilities and work history, but rather upon stereotypes and fears that employers associate with their conditions.



President's Committee on Employment of People with Disabilities

AMERICANS WITH DISABILITIES ACT (ADA) MYTHS AND REALITIES

Myth #1: Making job accommodations for persons with disabilities is too expensive to undertake.

Reality: In most cases, an appropriate job accommodation can be made without difficulty and at little or no cost. An accommodation may be something as simple as adding an extra lever to the fare box on a public bus for a driver who is unable to reach the box because of a disability.

Of the 436 reasonable accommodations made by Sears Roebuck and Co. between 1978 and 1992, 69 percent cost nothing, 28 percent cost less than \$1,000, and only three percent cost more than \$1,000. The relatively minor costs of providing reasonable accommodation are offset by the benefits resulting from increased employment of people with disabilities, reduced dependence on Social Security, increased consumer spending by people with disabilities, and increased tax revenues.

Myth #2: Because the ADA's definition of disability is broad and vague, frivolous discrimination claims are being made in the name of ADA.

Reality: The ADA's definition is intentionally open-ended. Rather than listing specific conditions, the ADA defines "disability" as a physical or mental impairment that substantially limits a major life activity, having a record of such an impairment, or being regarded as having such an impairment. According to the Equal Employment Opportunity Commission (EEOC), Congress chose this definition because "it would not be possible to guarantee comprehensiveness by providing a list of specific disabilities, especially because new disorders may develop in the future, as they have since the definition was first established in 1973."

Myth #3: ADA is not increasing the number of employed individuals with disabilities.

Reality: The ADA has played a significant role in enhancing labor force participation of persons with disabilities and in reducing dependence on government entitlement programs by helping qualified individuals obtain and retain jobs. Fifty percent of ADA charges alleging discriminatory discharge, filed with the Equal Employment Opportunity Commission (EEOC), generally involve individuals who want to continue working, but are being fired, they claim, because of their disability. Despite these efforts, unemployment remains a significant problem for individuals with disabilities. The EEOC continues to provide outreach and ADA training.

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President's Committee on Employment
of People with Disabilities

**JOB ACCOMMODATIONS
SITUATIONS AND SOLUTIONS**

Inquiries to the Job Accommodation Network (JAN) have more than quadrupled since 1990. A sampling of real-life situations and solutions follow:

SITUATION: A greenhouse worker who is mentally retarded had difficulty staying on task and knowing when to take breaks.

SOLUTION: One-on-one training was provided by a rehabilitation agency at no cost to the employer. A tape recorder was carried that gave the employee periodic reminders to stay on task and indicated break time. A set of laminated cards for the worker to carry showed the basic list of tasks to be completed. Cost: \$50.

SITUATION: A worker with a polycystic renal (kidney) disease is a senior technician in the coal industry who is responsible for the preparation of samples for testing. This employee requires Continuous Ambulatory Peritoneal Dialysis (CAPD) four times daily, with one exchange occurring during working hours.

SOLUTION: Space is made available in the dispensary for the employee to perform CAPD while at work. Storage space is also provided for extra supplies to be used in case of bad weather emergencies necessitating a second exchange at work. Cost: \$0.

SITUATION: An experienced electronics equipment inspector paralyzed from the waist down needs to perform tasks related to using precision equipment and assembly inspection; he needs rapid mobility around the plant.

SOLUTION: A heavy motorized wheelchair is stored on the premises overnight for his use in the plant. The employee uses his lightweight chair for travel. The bins containing items to be inspected are lowered, and a lap-board is provided for his specification books. Cost: less than \$200.

SITUATION: Because of a severe hearing loss, a nurse is unable to monitor multiple alarms on medical equipment in the critical care unit.

SOLUTION: To continue to utilize her experience and training, the hospital transfers her to an open position in the laboratory, where a vibrating pager and a portable TDD/TTY is used to direct her to various locations throughout the hospital. Cost: \$634.

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President's Committee on Employment of People with Disabilities

EMPLOYER PROFILES

The ADA requires employers and government agencies to accommodate the individual needs of persons with disabilities when necessary to ensure equal opportunity. Since the act became law in 1990, numerous businesses coast to coast have successfully hired and accommodated employees with disabilities.

EMPLOYER: CAROLINA FINE SNACKS, GREENSBORO, NC

- **Type of Business:** Manufacturer of snack foods
- **Total Employees:** 18
- **Self-Identified Employees with Disabilities:** 9
- **Self-Identified Disabilities:** Learning disabilities, vision impairment, psychiatric disabilities, hard of hearing
- **Positions Held by Employees with Disabilities:** Packers, warehouse assistants
- **Accommodations Provided:** None required
- **Impact of Hiring People with Disabilities:** Employee turnover dropped from 80 percent every six months to less than 5 percent; productivity rose from 60-70 percent to 85-95 percent; absenteeism dropped from 20 percent to less than 5 percent; tardiness dropped from 30 percent of staff to zero.

EMPLOYER: MARRIOTT INTERNATIONAL, INC., BETHESDA, MD

- **Type of Business:** Hospitality company that manages and franchises diverse range of lodging products and provides food service and facilities management for clients in business, health care and education
- **Total Employees:** 170,000 (approximate)
- **Self-Identified Employees with Disabilities:** 6 percent (approximate)
- **Self-Identified Disabilities:** Mental retardation, psychiatric disability, vision impairment, hard of hearing, mobility impairment, learning disability
- **Positions Held by Employees with Disabilities:** Managerial, including vice president, director, manager and supervisor levels; also clerical, service and other, including engineer, telephone operator, accounting clerk, secretary, cook, food server and housekeeper
- **Accommodations Provided:** Changes in physical work space, job restructuring, specialized equipment and adjusted work schedules
- **Impact of Hiring People with Disabilities:** Job accommodation costs are modest and often nothing at all; performance records as good as, or better, than others in similar jobs.

- more -

EMPLOYER: KREONITE, INC., WICHITA, KS

- **Type of Business:** Designer and manufacturer of photo/graphic processing systems
- **Total Employees:** 160
- **Self-Identified Employees with Disabilities:** 10 percent (approximate)
- **Self-Identified Disabilities:** Psychiatric disability, mental retardation, deafness, deafness/blindness, vision impairment
- **Positions Held by Employees with Disabilities:** Small parts assembly, electric assembly, electrical/mechanical assembly, supervisory, drafting, clerical, machine operation
- **Accommodations Provided:** Sign language classes for hearing employees, jigs and fixtures as requested, shift changes, cordless screwdrivers
- **Impact of Hiring People with Disabilities:** Improved attendance, less turnover (which means lower training and unemployment costs), improvements in company loyalty, productivity, job responsibility and work ethics.

EMPLOYER: NORDSTROM, INC., SEATTLE, WA

- **Type of Business:** Retail sales
- **Total Employees:** 30,000
- **Self-Identified Employees with Disabilities:** No data provided
- **Self-Identified Disabilities:** Vision impairment, hard of hearing, mobility impairment
- **Positions Held by Employees with Disabilities:** Sales, support, management
- **Accommodations Provided:** Interpreters, TDD/TTY lines, work station modification, flexible work schedule
- **Impact of Hiring People with Disabilities:** Expanded customer base and increased sales related to employee and customer diversity.

EMPLOYER: CROWN COMPUTER SUPPLY, RICHARDSON, TX

- **Type of Business:** Computer Supplies
- **Total Employees:** 50
- **Self-Identified Employees with Disabilities:** 6
- **Self-Identified Disabilities:** Vision impairment, deafness, epilepsy, mental retardation, physical disabilities
- **Positions Held by Employees with Disabilities:** Stocking the warehouse; clerical and customer support positions; inside sales positions; other positions in laser lab; data services
- **Accommodations Provided:** Specially-designed keyboard; high contrast monitor; signing classes for colleagues of employee who is deaf
- **Impact of Hiring People with Disabilities:** Business is succeeding in a competitive market due to many factors including qualified employees, less turnover, and good job performance.

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President's Committee on Employment
of People with Disabilities

NEWS RELEASE

PRESIDENT'S COMMITTEE'S JOB ACCOMMODATION NETWORK HELPS AMERICANS WITH DISABILITIES AND BUSINESS DO THE JOB

-- Workable Solutions Benefit All --

Washington, D.C., July, 1995 — A hard working bank clerk is in danger of losing her job after a traumatic brain injury leaves her with brain damage that causes short-term memory loss and weakness in one side of the body. The memory loss causes periodic confusion, making the processing of checks and other transactions more difficult. But with the help of a one-on-one job trainer, provided free by a rehabilitation agency, she is able to learn task sequencing. Equipment is also adjusted to accommodate body weakness at no cost to the employer.

In a busy office, an administrative assistant with amyotrophic lateral sclerosis (ALS) has difficulty using the phone, inputting on the computer, and completing reports. Instead of letting him go, the employer purchases a cordless headset for the telephone, arm rest extensions for the edge of the desk to reduce strain on wrists and arms, and a new effortless lock and handle for the restroom door. For a cost of \$450, the office retains a productive employee.

The job consultant service that helped these businesses and their employees with disabilities is the Job Accommodation Network (JAN), a service provided by the President's Committee on Employment of People with Disabilities. JAN has become an important resource for thousands of companies looking for ways to help people with disabilities do their jobs.

"Workable, affordable solutions are what JAN is about," says Tony Coelho, Chairman of the President's Committee. By calling 1-800-ADA-WORK, businesses can get immediate assistance and advice from a staff of highly trained professionals with advanced degrees and real-world experience in finding ways to accommodate employees with disabilities. The call and the consultations are free.

"JAN consultants know how to meet both the business's and individual's needs so that an employee with a disability can return to work, be hired or promoted to a new position, or work more easily and productively," says Coelho.

Job Accommodation Network / 2

While JAN has been providing no-cost information to businesses, rehabilitation professionals and people with disabilities for more than a decade, it took on a new, expanded role after the passage of the Americans with Disabilities Act (ADA) in 1990. The ADA, the landmark civil rights legislation that prohibits job and public accommodation discrimination against America's 49 million citizens with disabilities, celebrates its five-year anniversary on July 26. When necessary to ensure equal opportunity, the act also requires employers to make reasonable accommodations for persons with disabilities. Since 1990, JAN has been providing information to businesses and other organizations about how to comply with the act.

In the years since its role was enhanced, JAN has been a hotline to help. Inquiries to JAN have more than quadrupled since 1990. In 1993-1994, JAN received a total of 70,000 calls, of which 31,500 were from employers. Surveys of JAN callers find overwhelming satisfaction with the service, with 82 percent of the respondents reporting that JAN staff met their needs exceptionally well or very well.

Still, JAN must contend with persistent myths and stereotypes about employing workers with disabilities and about the costs associated with the ADA.

"You hear all these wild stories about how much it costs to accommodate an employee with a disability, but experience shows it is just not true," says Coelho. While not all accommodations are as inexpensive as the one for the bank clerk, many are. JAN figures show that the typical cost of helping a worker with a disability is \$200. Fully 79 percent cost less than \$1,000.

And the savings to an employer are only part of the story. One county government reported saving more than \$5 million a year by providing accommodations to workers with disabilities. The savings came because a number of people with disabilities who entered the workforce were removed from the county's benefit rolls and added to the county's tax rolls.

More than one third of the businesses JAN has helped have found that accommodation allowed them to save on insurance costs; half found that accommodation increased a worker's productivity. Overall, the figures show that for every dollar a company spends in making an accommodation, it gets back at least \$28 in savings and increased productivity.

"JAN is a success story and a true national resource," says Coelho. "Time and time again, it is proving that job accommodations are not special privileges, but tools that help people with disabilities become assets to their employers and important contributors to the American economy as a whole."

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President's Committee on Employment
of People with Disabilities

NEWS RELEASE

FIVE-YEAR ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT: IMPRESSIVE PROGRESS, BUT STILL A LONG WAY TO GO

-- July 26 Celebration Commemorates Landmark Legislation
for People with Disabilities --

WASHINGTON, D.C., July, 1995 -- On July 26, the nation will celebrate the five-year anniversary of the signing of the Americans with Disabilities Act (ADA), the landmark civil rights legislation that prohibits discrimination against America's 49 million citizens with disabilities.

"The ADA has helped people with disabilities enjoy the rights other Americans have to employment, public services and public accommodations, but there is still a long way to go," said Tony Coelho, chairman of the President's Committee on Employment of People with Disabilities. "This five-year anniversary is both a celebration and a challenge: a celebration of solid progress and a challenge to renew our efforts to correct the stereotypes and misinformation that still plague America's citizens with disabilities."

The ADA, passed by large bi-partisan majorities in both Houses of Congress and signed by then President Bush in 1990, is modeled on the 1964 Civil Rights Act and the Rehabilitation Act of 1973. It prohibits discrimination on the basis of disability in employment, services rendered by state and local governments, places of public accommodation, transportation, and telecommunications. Like the 1973 Rehabilitation Act, the ADA requires employers and state and local government agencies to accommodate the individual needs of persons with disabilities when necessary to ensure equal opportunity. July 26 is also the one-year anniversary of the implementation of the final phase of the employment section of the ADA, which requires businesses employing 15 or more workers to comply with the Act.

"Those of us who have experienced discrimination because of a disability know that the ADA has made our lives better," said Coelho, who has epilepsy. "Thousands of retailers, shopping malls, restaurants, hotels and other places of public accommodation have eliminated physical barriers. Thousands of employers are learning how to hire or retain workers with disabilities."

Five Year Anniversary / 2

Statistics show that all Americans have benefited from the economic growth that has been a by-product of the ADA. According to the U.S. Census Bureau, people with disabilities control \$188 billion in discretionary funds. This money could potentially be spent to purchase goods and services from businesses that have eliminated physical barriers.

In stressing the need for more progress, Coelho pointed out how much remains to be done. "Too many citizens with disabilities are unfairly denied employment. Too many physical barriers have not been taken down. Far too many myths, prejudices, and negative attitudes remain," he said.

In particular, Coelho attacked widely circulated misinformation about the costs and effects of the ADA. "The typical cost of job accommodation for a worker with a disability is very affordable -- \$200 or less," Coelho said. "That cost is more than offset by increased productivity, reduced dependence on government entitlements and increased tax revenues." Studies show that for every dollar a company spends making an accommodation for a worker with a disability, it saves at least \$28 in overhead costs by realizing increased productivity and other benefits.

"While a few people have attempted to abuse the act, the fact is that the ADA does not help people with trivial impairments -- such as body odor, a sinus condition, or general stress -- nor does it give people with disabilities special privileges. Employers can and should hold all employees to the same productivity and conduct standards."

Coelho is the chairman of the President's Committee on Employment of People with Disabilities, which provides a range of ADA-related services. One of the most important services, the Job Accommodation Network (JAN), provides toll-free consulting to businesses which want to know how to comply with the ADA and to make work-site accommodations for people with disabilities.

By calling 1-800-ADA-WORK, an employer can speak with a JAN counselor who will supply information about ways to modify facilities and equipment to provide greater access to employees with disabilities. JAN consultants are trained to find workable solutions to meet individual needs so that an employee with a disability can return to work, be hired or promoted to a new position, or work more easily and productively.

Inquiries to JAN have more than quadrupled since 1990, showing that business is more interested than ever in accommodating workers with disabilities. JAN received a total of 70,000 calls in 1993-1994, of which 31,500 were from employers. Three quarters of the calls from employers were about retaining a worker.

For more information about the ADA and about JAN, call 1-800-ADA-WORK.



Enforcing the ADA

A Special Fifth Anniversary Status Report from the Department of Justice

July 26, 1995

This is a special edition commemorating the fifth anniversary of the enactment of the ADA. Regular quarterly status reports will resume in October 1995. Copies of previous reports are available through our ADA Information Line (see page 11).

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A Message from Deval L. Patrick, Assistant Attorney General for Civil Rights

Five years ago, the landmark Americans with Disabilities Act began a new era of opportunity, promise, and dignity for the 49 million Americans with disabilities. The ADA reflects the good common sense that is at the heart of all of our civil rights laws. For eliminating barriers that prevent people from fully participating in society is not only the right thing to do; it also enriches the lives of all Americans.

The ADA is a fair and reasonable law. It strikes a careful balance between the legitimate rights of individuals with disabilities and the resources and capabilities of private businesses and government. In enforcing the Act, we have focused on sensibly achieving its central goals. We have avoided the pursuit of fringe and frivolous disputes. Thanks to our educational outreach efforts, we have fostered a high degree of voluntary compliance with a minimum of costly litigation.

Our focus is on the fundamentals -- access to vital government activities and to private sector goods and services that are necessary for daily living and employment. Through lawsuits and settlements, we have achieved greater access for people with disabilities in over 350 cases. This special fifth anniversary status report highlights some of these accomplishments.

We are committed to the long-term effort that will be required to fully implement the ADA. Through vigorous enforcement -- and partnerships with business, state and local government, and the disability community -- we will realize the ADA's promise of new opportunities for people with disabilities and all Americans.



A handwritten signature in black ink, appearing to read "Deval L. Patrick".

Deval L. Patrick
Assistant Attorney General

The Americans with Disabilities Act (ADA) is a comprehensive civil rights law for people with disabilities. The Department of Justice enforces the ADA's requirements in three areas -

Title I: Employment practices by units of State and local government

Title II: Programs, services, and activities of State and local government

Title III: Public accommodations and commercial facilities

I. Enforcement Highlights

Gaining Access to Emergency Services

Under the ADA, the basic services that we all expect from government must be provided on a nondiscriminatory basis to people with disabilities.

9-1-1 system in Chicago -- The Department reached a formal agreement with Chicago ensuring access to 9-1-1 services for people who are deaf, hard of hearing, or have speech impairments. The agreement resolved three complaints filed with the Justice Department alleging that in three separate incidents deaf people were unable to get help by calling 9-1-1. In one case, a woman who had to wait for a cab to take her to the hospital was told by her physician that she could have died if she had arrived an hour later. In the other two cases, individuals who had been assaulted were able to reach the police only by calling intermediaries. Under the agreement, Chicago agreed to install telecommunication devices for the deaf (TDD's) in its 9-1-1 emergency center, train dispatchers to handle TDD calls, and promote its new accessible 9-1-1 system.

A Los Angeles mother who is deaf tried to get emergency help for her two-year-old son who had just received a head injury. Her repeated TDD calls to 9-1-1 went unanswered.

9-1-1 system in Los Angeles -- The City of Los Angeles agreed to make its 9-1-1 emergency services accessible to persons who use TDD's. The formal agreement resolves a complaint

alleging that the City failed to respond to a 9-1-1 call made by a mother who is deaf. After her two-year-old son sustained a head injury, the mother tried calling 9-1-1 on a TDD three times. Finally, she gave up and took her son to the hospital herself. Under the agreement, the City agreed to install TDD's, train its staff to handle TDD calls, and promote the use of 9-1-1 by individuals who use TDD's.

Emergency medical services in Philadelphia -- The Department resolved a complaint against the City of Philadelphia alleging that the City's emergency medical technicians (EMT's) had refused to assist an individual who they learned had HIV. Under the agreement, the City will no longer refuse to provide emergency services to individuals with disabilities. It will also discipline any employee who fails to follow the City's guidelines and will train the fire department's 2,300 EMT's and firefighters on ways to prevent the transmission of HIV/AIDS. In addition, the City will pay \$10,000 in compensatory damages and issue a written apology to the complainant.

Ensuring Equal Employment Opportunity

The ADA guarantees equal employment opportunities for people with disabilities. The Department has attacked failures to make reasonable accommodation and the discriminatory denial of pension and retirement benefits.

Employment opportunities in Slidell, Louisiana -- The Department sued Slidell alleging that the City failed to reasonably accommodate Gregory Smith, an employee in its department of parks and recreation. It claimed that the City

discharged Smith, who had a chronic knee condition stemming from an on-the-job injury, without considering whether a reasonable accommodation would enable him to continue to do the job. Under the consent decree, Smith received \$2,000 in compensatory damages and more than \$21,000 in back pay. He did not seek reinstatement to his job. The case originated at the Equal Employment Opportunity Commission and was referred to the Justice Department for litigation when conciliation efforts failed.

Right to Citizen Participation

The ADA protects the right of people with disabilities to have equal access to the basic institutions of government. The Department has sought to eliminate physical, communication, and policy barriers in town halls, courtrooms, and legislative chambers.

Pension funds in Illinois -- In response to a suit filed by the Department, Illinois enacted legislation to eliminate discriminatory provisions in its police and fire pension code. The Department had sued the board of trustees of the Aurora police pension fund, the City of Aurora, and the State for excluding police officers and firefighters from the City's pension funds on the basis of disability. Under the challenged system, police officers and firefighters were required to undergo separate physical examinations after they were hired to determine eligibility for retirement and disability benefits. Even though they were performing successfully on the job, police officers and firefighters could be denied disability and retirement benefits.

Kevin Holmes served successfully for ten years as a police officer in Aurora, Illinois. But, because he had diabetes, he was excluded from the State's pension fund. He would not receive the retirement pension available to other officers, and if he was injured in the line-of-duty, he would not receive any disability benefits.

City hall in Waukesha, Wisconsin -- Resolving a complaint by a Waukesha City alderman who uses a wheelchair, the City agreed to make its city hall accessible. It agreed to hold its closed deliberations in the accessible room in which it holds general meetings, renovate the first floor bathrooms, install automatic door openers at the building's entrance, and provide a van accessible parking space.

Jury service in Salt Lake City -- The Utah State Administrative Office of the Courts committed its courts to provide appropriate auxiliary aids and services, including qualified interpreters, when necessary to provide an individual with a disability an opportunity to serve as a juror. The agency agreed to establish a policy on providing interpreters for individuals serving on jury duty, notify the public about the policy, and instruct district court officials to adhere to the policy.

Civic functions in Manhattan, Montana -- A small Montana town agreed to make its town programs accessible by making a few renovations and taking alternative nonstructural measures. It agreed to install a ramp at an entrance, make the route to the entrance accessible, create one van-accessible parking space, and make the water fountain and bathroom on the first floor accessible. Also, town council meetings will be moved to the first floor when necessary.

Jury service in the D.C. Superior Court -- Donald Galloway filed suit in federal court charging that the District of Columbia Superior Court violated the law by categorically excluding blind persons from jury service. The federal court agreed, and awarded Galloway \$30,000 in damages. The Justice Department argued in support of Galloway's view that compensatory damages can be obtained under both the ADA and the Rehabilitation Act of 1973.

Donald Galloway was excited to be called for jury duty in the District of Columbia and eager to fulfill his civic responsibility. At the courthouse, though, he was told that because he is blind he could have saved himself the trip -- he would not be allowed to serve.

Town board meetings in New York State -- A small community agreed to purchase a public address system to resolve a complaint from a hard of hearing citizen who wanted to listen to town board meetings.

Opening Gateways to Opportunity

The ADA is lowering the barriers to educational and professional advancement faced by many people with disabilities. The Department has engaged in enforcement activities involving college entrance examinations and review courses for bar and accounting exams.

Scholastic Assessment Test -- The Educational Testing Service and the College Entrance Examination Board agreed to schedule more dates for more than 20,000 students with disabilities wishing to take the new version of the Scholastic Assessment Test. Under the original testing schedule, students with disabilities requiring accommodations were offered only one

date to take the updated version, as opposed to their peers who had several opportunities to take the test. The agreement also allowed approximately 2,600 students with disabilities who took the old version of the test the chance to cancel their scores and retake the new exam.

Bar review course -- Under a consent decree, the company that runs Bar/Bri, the nation's largest review course for students taking the bar exam, agreed to provide qualified sign language interpreters, assistive listening devices, and Brailled materials to students with disabilities. The Department had alleged that the course failed to provide appropriate auxiliary aids to students with vision and hearing impairments. The company, Harcourt Brace, also agreed to pay \$28,000 in compensatory damages, pay \$25,000 in civil penalties to the United States, adopt a policy ensuring that auxiliary aids and services are provided, educate its staff about the needs of students with disabilities, and promote the availability of auxiliary aids and services in its advertising.

Jennifer Olson is deaf and has used interpreters throughout her college and law school years. When she signed up to take a bar review course, the company refused to provide an interpreter.

C.P.A. review course -- In a settlement resolving the first lawsuit filed by the Justice Department under the ADA, Becker C.P.A. Review, which prepares over 10,000 students annually to take the national certified public accountant exam, agreed to amend its auxiliary aids policy. Where a need can be demonstrated, Becker will provide qualified sign language interpreters and assistive listening devices to students who are deaf or hard of hearing. Becker also agreed to appoint a national ADA coordinator, train its staff regarding the policy revision, pay \$20,000 in damages to be distributed to deaf and hearing

impaired students, and establish a \$25,000 scholarship fund for accounting students at California State University who have hearing impairments.

Becoming Part of the Economic Mainstream

A primary goal of the ADA is to bring people with disabilities into the mainstream of the American economy. The Department has achieved greater access in a wide variety of private-sector settings.

Venture Department Stores -- The Department entered into a consent decree resolving its suit against Venture Stores, Inc., a St. Louis firm that operates more than 90 discount department stores in eight states. Venture agreed to modify its policy of

permitting only customers with drivers' licenses to pay with a personal check, and will now permit individuals who do not drive because of a disability to pay by check if they have a non-driver state ID card. It also agreed to compensate the complainants.

Joan Abbati has epilepsy and is unable to get a driver's license. When making purchases by check, she shows the cashier an ID card issued by the State of Illinois. A Venture discount department store in Chicago refused to honor the card, preventing her from paying by check.

Parking facilities in Colorado -- The Department entered into a consent decree resolving its suit against Allright Colorado, a company that owns or operates over 100 parking lot facilities in Denver. Under the agreement, Allright will add over 400 accessible parking spaces to its facilities, and instruct parking attendants to monitor the slots and ticket cars that are

improperly parked. Allright also paid \$20,000 in civil penalties because of alleged delay in complying.

Gibson's Discount Center -- By consent decree, the Department resolved a case against the operator of 30 discount department stores in eight Midwest and Rocky Mountain States. The Department investigated complaints against several Gibson's

department stores alleging that Gibson's had failed to remove architectural barriers to access and that it had made alterations that did not comply with the ADA's Standards for Accessible Design. Under the agreement, Gibson's will bring all its stores into full compliance with the Standards; provide at least one

accessible fitting room and entrance at each store; and offer accessible parking, check-out aisles, and restrooms. Also, Gibson's will pay \$30,000 in civil penalties and \$15,000 in compensatory damages.

In some Kansas communities, Gibson's Discount Center is the only place in town to shop for clothing, hardware, electronics, and sporting goods. But for Richard Knight, who uses a wheelchair, it was often impossible to shop at his hometown store because of insufficient accessible parking and inaccessible restrooms.

Municipal Credit Union of New York City -- A branch office of the Municipal Credit Union of New York City was inaccessible to people with mobility impairments. The Credit Union agreed to install a ramp at the entrance, notify its customers of the ramp, post appropriate signs, and instruct the staff to provide assistance when requested by individuals with disabilities.

Smith Barney -- Under a formal settlement, Smith Barney, a nationwide financial planning services company, will provide, upon request, financial statements and correspondence in large print to its customers with vision impairments. (Smith Barney already provides documents in Braille.) Smith Barney also agreed to pay \$1,500 to the complainant and notify its customers of the new service. Since the agreement, 645 customers already have requested large print documents.

Lone Star Steakhouse and Saloons -- Lone Star Steakhouse and Saloons, a nationwide restaurant chain operating 105 restaurants in 29 States, agreed to bring 97 new or altered facilities into full compliance with the ADA. This settlement was the first resulting from a compliance review, a process by which the Department reviews architectural plans to determine if new construction projects will comply with the ADA's standards. By reviewing the plans and visiting several sites, officials learned that Lonestar failed to provide accessible seating, restrooms, and parking, as well as accessible routes from parking areas. Under the settlement, Lone Star is contributing a total of \$25,000 to four disability advocacy groups.

Gas station in Arlington, Virginia -- Under an agreement, an Exxon gas station in Arlington agreed to pump gas for persons with disabilities and implement a procedure that would ensure that persons with disabilities could bypass the inaccessible electronic card reader devices when pumping their own gasoline. Exxon also will display signs describing this procedure.

Ensuring Fair Treatment

The ADA protects people with disabilities from unfair treatment. The Department has successfully fought for the rights of people with HIV infection not to be refused routine dental care because of irrational fears.

Dental service in New Orleans -- A Federal court in Louisiana ruled that a dentist violated the law by referring persons with HIV or AIDS to another dentist solely on the basis of the patient's HIV positive status. Under a consent order the dentist, Dr. Morvant, agreed to pay \$60,000 in damages to the family of one deceased patient, Ismael Pena, and \$60,000 to another patient, and to no longer discriminate against persons with HIV or AIDS. Morvant may refer such patients to another dentist only when the dental treatment being sought or provided is outside his area of expertise. The order also requires Morvant and his staff to undergo training on the treatment of persons with HIV or AIDS, infection control in the dental workplace, and the ethical duty to treat persons with HIV or AIDS.

For 11 years Ismael Pena went to the same dentist in New Orleans for basic dental care. But after learning that his longstanding and loyal patient had AIDS, Dr. Morvant told Pena to go elsewhere to get his teeth cleaned.

Access to Business and Leisure Travel

The ADA guarantees the right of people with disabilities to enjoy the amenities of leisure and business travel. The Department's activities have led to greater accessibility in the hotel, rental car, and resort industries.

Hyatt Regency in Dallas -- The Department resolved a suit alleging that the Hyatt Regency Dallas Hotel failed to remove architectural barriers where it was readily achievable to do so. Under the consent agreement, the Hyatt Corporation agreed to provide 28 accessible guest rooms, modify three sets of restrooms on several floors, and construct ramps providing access to the hotel's swimming pool and hot tub areas. It also agreed to pay a total of \$36,000 in compensatory damages to 24 individuals with disabilities.

For some families who have children with spina bifida, the yearly convention of the Spina Bifida Association is a summer vacation. The children can play with other children with spina bifida and not feel excluded or self-conscious. In 1992, excitement turned to disappointment when families showed up at the convention only to find that the guestrooms, restrooms, and pool at the Dallas Hyatt were inaccessible.

policy, require all new franchisees and those renewing their contracts to adopt the policy, train its staff at its corporate-owned rental locations, and allow persons who are unemployed due to a disability and who do not use credit cards, to substitute verifiable disability-related income in lieu of a verifiable employment history. Also, Avis will allow persons who cannot drive due to a disability to rent cars in their own name and maintain financial responsibility for renting the car when accompanied by a licensed driver.

Resort hotels in Hawaii -- The Department sued Pleasant Travel Service, Inc., and its subsidiary, Hawaiian Hotels & Resorts, Inc., who own and operate several resort hotels in Hawaii and California. It alleged that the hotels failed to remove barriers to access and renovated the hotels in ways that did not comply with the ADA's standards. Under a consent decree, the Royal Lahaina Resort, the Royal Kona Resort, and the Kauai Coconut Beach Resort will provide accessible parking; modify restrooms to make them accessible; provide access to restaurants, swimming pools and the luau areas; and offer between 12 and 14 accessible guest rooms at each hotel. Also, the defendants agreed to pay a total of \$25,000 in compensatory damages to two individuals who use wheelchairs and \$25,000 in civil penalties.

John Hartman, a wheelchair user who is active in community affairs in Kona, Hawaii, frequently attends meetings of his local government at the Royal Kona Resort. Because there was no accessible restroom, Hartman often would have to leave meetings abruptly, return to his van, and drive into town to find an accessible facility.

Avis, Inc. -- Under a formal settlement, Avis, Inc., the country's second largest car rental company, agreed to provide rental cars with hand controls for persons with disabilities -- with as little as eight hours notice in most major airport locations. Avis also agreed to urge all existing licensees to adopt the same

Increasing Access to Recreational Activities

The ADA bolsters the ability of people with disabilities to enjoy recreational activities with their family and friends. The Department has successfully increased access in diverse settings ranging from bowling centers to county fairs.

Empire State Building in New York -- The Justice Department alleged that the owners of the Empire State Building failed to remove architectural barriers where it was readily achievable to do so. An agreement resolving the complaint mandates changes to the lobby, entrance, observation decks, restrooms and telephones, but does not cover any privately leased office space in the building.

Bowling alley in Greenwood, South Carolina -- The owners of Emerald Lanes, a bowling center, agreed to construct a ramp and an accessible door at the front entrance, build a new accessible unisex restroom and vestibule leading to it, and add accessible parking.

A South Carolina man just wanted to be able to see his children bowl in league competition -- but inaccessible facilities made it impossible.

Public fair in Minnehaha County, South Dakota -- In the first settlement agreement involving a public fair, Minnehaha County agreed to a wide range of measures to ensure accessibility at the Sioux Empire Fair. The County agreed to renovate several bathrooms, install two TDD's at pay phones, create an accessible path of travel through areas of the Fairgrounds, upgrade accessible parking, make the vending and ticketing counters and booths accessible, provide materials to Fair volunteers and patrons regarding the accommodations available for people with disabilities, and adopt a policy that

allows patrons with mobility impairments to buy the same number of companion tickets to Fair concerts that other patrons are able to buy.

Theaters in New York City -- A number of motion picture and performing arts theaters in New York City agreed to install assistive listening systems and provide individual receivers for patrons who are hard of hearing.

Providing Freedom from Unnecessary Inquiries into Disability

The ADA gives people with disabilities the right to be free from undue requests for personal and private information about their physical or mental condition. Many State licensing authorities are reconsidering the questions they are asking applicants for professional licenses due to the Department's activities in this area.

Professional licensing nationwide -- By challenging overly broad mental health inquiries by State licensing officials of applicants for professional licenses (law and medicine), the Department has spurred reform efforts nationwide. In briefs filed in New Jersey, Florida, and Virginia, the Department has argued that broad questions about an individual's history of treatment or counseling for mental, emotional, or nervous conditions that do not focus on current impairment of an applicant's fitness to practice in a given profession violate the ADA. In one case challenging an unnecessarily broad inquiry into past mental health treatment, the Federal court ordered the Virginia Board of Bar Examiners to stop asking bar applicants whether they had received counseling within the past five years.

II. Certification Highlights

The law requires that newly constructed or altered facilities comply with the ADA Standards for Accessible Design. The ADA authorizes the Justice Department to certify building codes that meet the ADA's standards. In litigation, an entity that complies with a certified code can use it as rebuttable evidence of compliance with the law.

Washington State's Code -- In March, the Justice Department certified that the requirements of Washington's building code are equivalent to those set forth in the ADA. Washington was the first State to submit, and receive certification of, its code. It may serve as a model for other states and localities.

III. Technical Assistance Highlights

Congress made the ADA very flexible and required the Federal Government to provide technical assistance to help the public understand the law's requirements. The Justice Department has fulfilled this mandate by establishing a wide ranging technical assistance program.

In the past five years, the Department has --

- distributed more than 70 million ADA publications and informational pieces to the public;
- established a toll-free Information Line that receives approximately 6,500 calls each month from the public;
- distributed public service announcements about the ADA to hundreds of TV and radio stations across the country;
- developed and disseminated an ADA Information File containing over 30 technical assistance publications to 15,000 public libraries and 6,000 Chambers of Commerce nationwide;

• provided grants to trade associations and other organizations for the development of specially-tailored publications and videotapes on the ADA. The groups included--

- owners and managers of hotels and motels, restaurants, grocery stores, other retail establishments, small businesses, and businesses whose owners speak Spanish or other languages;
- builders and contractors, students and professors of design education programs, and members of historic preservation boards and commissions;
- medical professionals, child care providers, and service providers for older people;
- mayors of medium and large cities, small towns and townships, police officers and court personnel, and managers and operators of emergency response ("9-1-1") centers;

--people with disabilities; and,

--community and professional mediators.

Most businesses and governments comply once they understand what is required. That is why our **ADA Information Line** is a cornerstone of our public education effort. Through the information line, ADA specialists are available to answer questions and provide basic information, technical guidance, and publications.

A State university administrator did not know how to accommodate a student who uses a wheelchair -- so he called the ADA hotline. An ADA specialist suggested moving courses to accessible sites as well as setting up meetings with students and staff to identify possible obstacles that limit campus access. Two weeks later, the administrator called back to say that the first meeting was a success, not only for the students, but for the school because it dispelled the myth that providing program access would be too costly.

Our technical assistance initiatives underscore the importance of developing partnerships between businesses or local governments and persons with disabilities. Working together makes compliance easier and more effective.

ADA Information Line

ADA specialists are available Monday, Tuesday, Wednesday, and Friday from 10:00 a.m. to 6:00 p.m. (EDT), and Thursday from 1:00 p.m. to 6:00 p.m. Spanish language service is also provided. Callers may hear recorded information and order materials at any time day or night.

1-800-514-0301 (voice)

1-800-514-0383 (TDD)

Publications

Copies of the Department of Justice's regulations and technical assistance manuals for titles II and III of the ADA, the ADA Questions and Answers booklet, the ADA Handbook (limited quantities available), ADA Status Reports, and information about the Department's technical assistance grant program can be obtained free of charge by calling the ADA Information Line at the number listed above or by writing to the address listed below. These materials are also available as an accommodation to people with disabilities in large print, Braille, audiotape, and computer disk.

U.S. Department of Justice
Civil Rights Division
Disability Rights Section
Post Office Box 66738
Washington, D.C. 20035-6738

ADA Documents are On-line — The Department of Justice operates an electronic bulletin board system (BBS) that contains its ADA regulations and technical assistance materials as well as some materials from other Federal agencies. These can be downloaded by computer modem by dialing 202-514-6193. The BBS can also be accessed through the Internet. The access codes are telnet fedworld.gov Gateway D, choice 1 #9.

The Department also has placed a variety of its ADA materials directly on the Internet, including press releases on ADA cases and ADA regulations and technical assistance materials. These materials can be accessed with gopher client software (gopher.usdoj.gov), through other gopher servers (choose 9 for North America, 5 for USA, 1 for All, and look for Department of Justice, which currently is option 377), with World Wide Web software (<http://www.usdoj.gov>), or through the White House WWW server (<http://www.whitehouse.gov>). On the DOJ Home Page on the Web, ADA materials are located under Litigation Organizations, Civil Rights Division and under Justice Department Issues, Americans with Disabilities Act. The Department's press releases are located under the Office of Public Affairs on both the gopher and the World Wide Web. The Department's press releases are searchable on both gopher and World Wide Web. Speeches by senior officials of the Civil Rights Division can be found on the Civil Rights Division gopher and under Litigation Organizations, Civil Rights Division, Civil Rights Gopher Information.

Copies of the Department of Justice's Technical Assistance Manuals for titles II and III and yearly updates can also be obtained by subscription from the Government Printing Office. The subscription fee for the Title II Manual, which includes annual supplements through 1996, is \$24. The subscription fee for the Title III Manual with supplements through 1996 is \$25. Call the ADA Information Line to obtain an order form.

Copies of legal documents and settlement agreements mentioned in this publication can be obtained by writing to:

Freedom of Information/Privacy Act Branch
Administrative Management Section
Civil Rights Division
U.S. Department of Justice
P.O. Box 65310
Washington, D.C. 20035-5310
Fax: 202-514-6195

IV. Other Sources of ADA Information

The Equal Employment Opportunity Commission offers technical assistance to the public concerning title I of the ADA.

For ordering documents
800-669-3362 (voice)
800-800-3302 (TDD)

For questions
800-669-4000 (voice)
800-669-6820 (TDD)

The U.S. Department of Transportation offers technical assistance to the public concerning the public transportation provisions of title II and title III of the ADA.

ADA documents and general questions
202-366-1656 (voice)
202-366-4567 (TDD)

ADA legal questions
202-366-1936 (voice)
TDD: Use relay service

Complaints and enforcement
202-366-2285 (voice)
202-366-0153 (TDD)

Project ACTION
202-347-3066 (voice)
202-347-7385 (TDD)

The Federal Communications Commission offers technical assistance to the public concerning title IV of the ADA.

ADA documents and general questions
202-418-0190 (voice)
202-418-2555 (TDD)

ADA legal questions
202-634-1798 (voice)
202-418-0484 (TDD)

Complaints and enforcement
202-632-7553 (voice)
202-418-0485 (TDD)

The U.S. Architectural and Transportation Barriers Compliance Board, or Access Board, offers technical assistance to the public on the ADA Accessibility Guidelines.

ADA documents and questions
800-872-2253 (voice)
800-993-2822 (TDD)

The National Institute on Disability and Rehabilitation Research (NIDRR) of the U.S. Department of Education has funded ten regional centers to provide technical assistance on the ADA.

800-949-4232 (voice & TDD)
(call automatically connects to the closest center)

The Job Accommodation Network (JAN) is a free telephone consulting service funded by the President's Committee on Employment of People with Disabilities. It provides information and advice to employers and people with disabilities on reasonable accommodation in the workplace.

Accommodation in the workplace
800-526-7234 (voice & TDD)

V. How to File Complaints

Title I

Complaints about violations of title I (employment) by units of State and local government or by private employers should be filed with the Equal Employment Opportunity Commission. Call 800-669-4000 (voice) or 800-669-6820 (TDD) for the field office in your area.

Titles II and III

Complaints about violations of title II by units of State and local government or violations of title III by public accommodations and commercial facilities should be filed with -

U.S. Department of Justice
Civil Rights Division
Disability Rights Section
Post Office Box 66738
Washington, D.C. 20035-6738



U.S. Department of Justice

Civil Rights Division

Office of the Assistant Attorney General

Washington, D. C. 20530

TELEFACSIMILE COVER SHEET

DATE:

2/8

TO:

Bill White

PHONE:

FAX:

456 6218

FROM:

LIZ SAVAGE

OFFICE OF THE ASSISTANT ATTORNEY GENERAL
CIVIL RIGHTS DIVISION
FAX NUMBER: 202-514-0293
PHONE: 202-514-4279

COMMENTS:

Enl

NUMBER OF PAGES TRANSMITTED (INCLUDING THIS SHEET)

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Department of Justice

FOR IMMEDIATE RELEASE
THURSDAY, FEBRUARY 8, 1996

CR
(202) 616-2765
TDD (202) 514-1888

JUSTICE DEPARTMENT SUES DAYS INN CHAIN FOR BUILDING INACCESSIBLE HOTELS

WASHINGTON, D.C. -- The Justice Department today sued the Days Inn of America hotel chain, claiming that at least five of its hotels were not built to provide access for guests with disabilities. All of the hotels surveyed failed to comply with the Americans with Disabilities Act (ADA).

The suits are the first to be filed by the Justice Department under the ADA challenging the construction and design of a building built after the law went into effect.

The five suits allege that each of the hotels -- in Evansville, Indiana; Wall, South Dakota; Hazard, Kentucky; Champaign, Illinois; and Willows, California -- was constructed after Congress enacted the ADA, which requires builders to comply with specific architectural guidelines ensuring that persons with disabilities can gain access to the facility.

"Travelers with disabilities should be as welcome at our nation's hotels as anyone else," said Assistant Attorney General for Civil Rights Deval L. Patrick. "It is much easier to make a

(MORE)

- 2 -

hotel accessible from the start than to go back and fix it later."

Today's actions stem from an 18-month Justice Department investigation of 28 newly-built Days Inn hotels in 17 states. The investigation revealed that all 28 failed to comply with the ADA. The 23 other hotels have engaged in negotiations with the Justice Department.

But in the five cases filed today, the owners have refused repeated attempts by the Justice Department to resolve the matters out of court. The Justice Department had also attempted unsuccessfully to reach an agreement with Days Inns of America, Inc. and its parent company, Hospitality Franchise Systems, Inc. (HFS), both of Parsippany, New Jersey, to remedy the violations nationwide.

While Days Inn hotels are not identical, the Justice Department investigation exposed similar problems throughout the chain. The investigation, among other things, revealed that:

- some hotels lack sufficient visual alarms to alert those who are deaf or hard-of-hearing to smoke, fire or other emergencies;
- the deadbolts and security latches, switches for lamps, heating and air conditioner controls require tight grasping, pinching, or twisting, which is difficult or impossible for individuals with limited manual dexterity;
- many ramps for wheelchair users are either too steep, have no handrails, or hazardously slope sideways;
- bathrooms in the so-called accessible rooms lack adequate clear floor space to maneuver around the toilet or bathtub;

(MORE)

- 3 -

- individuals who are blind have difficulty finding their rooms because the hotels lacked proper signs with raised or Braille characters;
- clothes rods and shelves are mounted too high to be reached by an individual using a wheelchair, while lamps and levers to maneuver drapes are blocked by furniture;
- parking is inaccessible or there is no clear route from the parking lot to the hotel entrance.

"Not only do these violations impede access, in many cases it is unsafe for guests with disabilities to stay at these hotels," Patrick added. "We just cannot not ignore such a blatant disregard for the law."

The ADA, passed in July 1990, prohibits discrimination against persons with disabilities. Title III of the Act requires that those building and designing public accommodations, including hotels and motels, built after January 1993, comply with certain architectural guidelines known as the ADA's Standards for Accessible Design.

"These hotels were built well after the law was passed," added Patrick.

Each of the suits seeks a court order requiring Days Inn America (DIA), its parent HFS, as well as the individual owner, architect, and general contractor of the building to correct each violation and pay a civil penalty of up to \$50,000 for the first offense.

The Justice Department included DIA and HFS in the suit because they participated in designing and constructing each hotel. The company's involvement included preparing standard

(MORE)

- 4 -

plans for new hotels; in many cases reviewing and approving hotel plans prior to construction; and inspecting and approving completed facilities.

"They all shared responsibility for the problem. They should all share in remedying it," added Patrick.

The Justice Department has engaged in an extensive nationwide education campaign to inform Americans about their rights and obligations under the law. Since the ADA went into effect, the Department has reached out to builders, architects, and hotel and motel operators to make certain they know about the law.

As part of its public education campaign, the Justice Department has created a public service announcement advertising a toll-free ADA hotline. The ADA hotline number is 1-800-514-0301 or (TDD) 1-800-514-0303.

#

96-037

NEW CONSTRUCTION AND THE AMERICANS WITH DISABILITIES ACT (ADA)

Title III and how it applies to new construction

Title III of the ADA requires that any public accommodation must be designed and constructed so that it is accessible to individuals with disabilities. A public accommodation is a facility that provides some type of service to the public - such as a restaurant, a zoo, a private school, a hospital, a bank, or in today's case, a hotel.

The Standards for Accessible Design

Under the ADA, the Justice Department enforces the regulations for architectural standards for new construction, known as the Standards for Accessible Design.

The Standards set forth requirements for things such as parking, walkways, entrances, lobbies, common use areas, restrooms, elevators, and guest rooms for all facilities which house a public accommodation. They include specifications for particular elements of a building, such as the numbers of parking spaces, the slope of a ramp, the width of a door, the size of a restroom, or the placement of a public telephone.

The ADA was passed in July, 1990. Buildings constructed after January 23, 1993 must comply with the Standards.

Who's responsible for compliance

Any entity that has significant involvement in or control over the design and construction of a new facility is responsible for ensuring that the building complies with the law. In the case of the Days Inn of America, a variety of individuals or groups participated in the construction of the hotels including the architects, contractors, owners and the company.

State certification

The Justice Department has encouraged states and cities to submit their building codes for certification. When state and local codes are consistent with the ADA, it's easier for builders, architects, and owners to ensure their building is accessible under the ADA as well.

Washington was the first state to receive certification by the Justice Department. Seven other states are awaiting certification.

Where to go for more information

Comprehensive technical assistance on the design requirements of the law is available by calling the toll free ADA information line -- 1-800-514-0301 or 1-800-514-0383 (TDD). Individuals may also visit their local library and consult an ADA information file.

JUSTIN DART, JR.
907 6TH STREET, S.W., APT. 516C
WASHINGTON, D.C. 20024
202/488-7684

July 26, 1996

To: Bill White

From: Justin Dart

Subject: JUSTICE '96 UPDATE.

29 STATES – FOR CLINTON 1316, DOLE 112

JUSTICE '96 – SUMMARY TO DATE: SINCE MID-APRIL I HAVE MET FACE-TO-FACE WITH 2036 DISABILITY CONSTITUENCY LEADERS IN 31 CITIES IN 29 STATES. There have been 45 meetings, 31 teleconferences and numerous individual contacts.

1433 DISABILITY COMMUNITY LEADERS COMMITTED TO PARTICIPATE IN THE PRESIDENTIAL CAMPAIGN. CLINTON 1316, DOLE 112, NADER 3, INDEPENDENCE PARTY 2. This is not a poll. These are commitments to play active roles.

2,000 LEADERS HEAR PRESIDENT'S ADA SPEECH BY TELECONFERENCE. On July 24 Justice for All held a national teleconference to premier the President's ADA birthday speech. There were 180 sites on line – at least one in every state – with and more than 2,000 disability community leaders gathered around speaker phones. Sixteen persons – an impressive array of national disability community leaders – made 1-3 minute statements, followed by the President's taped address. Carol Rasco and Bill White of the White House made excellent presentations. I acted as MC. The event got good reviews from the grass roots.

In addition, Justice for All purchased 300 videos of the President's speech and mailed them special delivery to our list of major national disability community leaders.

CONGRATULATIONS TO OUR GREAT JUSTICE FOR ALL TEAM: Coordinator Mark Smith, Chair Becky Ogle, Fred Fay, Yoshiko Dart, Konoka Izumi, Yukari Kuwakado, Masami Morigami and our magnificent colleagues in the states.

EQUAL ACCESS TO THE AMERICAN DREAM

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. list	Disability Community Leaders; RE: Personally Identifiable Information [partial] (3 pages)	07/26/1996	b(6)

COLLECTION:

Clinton Presidential Records
Public Liaison
William White, Jr.
OA/Box Number: 14204

FOLDER TITLE:

ADA [Americans with Disabilities Act] 1996

2007-0143-F
db4550

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]

**Presidential Radio Address
ADA 6th Anniversary
July 26, 1996**

DISABILITY COMMUNITY LEADERS

1. Justin Dart Jr.
Justice For All

(b)(6)

[001]

Justin Dart, a Republican who has served in the Reagan and Bush Administrations, is the statesman of the disability rights movement. Justin has been traveling around the country during the last several months meeting with disability activists and announcing his support for the President.

2. Robert Herman
Paralysed Veterans of America (PVA)

(b)(6)

Robert is the Advocacy Attorney for the PVA. The leadership of the PVA is in Chicago attending their Annual Convention. Jesse Brown delivered the keynote address for the PVA Convention on July 23rd.

- X 3. Donna Sorkin
Self Help for Hard of Hearing

(b)(6)

Donna Sorkin is the Executive Director of Self Help for Hard of Hearing People, Inc. She was appointed by the President to the U.S. Architectural and Transportation Barriers Compliance (Access) Board in September of 1994.

- X 4. Margaret "Muffi" Lavigne
United Cerebral Palsy

(b)(6)

- UCP
11/60
LST NW
Suite 700
900536

Muffi is 25 years old and works at the national office of the United Cerebral Palsy Association as an information specialist. Muffi is a University of Connecticut graduate and is currently working on her Political Science graduate degree at GWU.

5. Nancy Bloch
National Association of the Deaf

(b)(6)

Ms. Bloch is a deaf woman recently appointed by the President to the U.S. Access Board. Nancy is the executive director of the National Association of the Deaf and has been an active disability rights advocate for over 15 years.

- ✓ 6. Lorraine Sheehan
The Arc

(b)(6)

Lorraine is a member of the Board of Directors at the Arc, a national organization that works on behalf of people with mental retardation. She is the past president of the Maryland Arc, and is a person with multiple sclerosis.

7. Marca Bristo
National Council on Disability (NCD)

(b)(6)

Marca Bristo of Chicago, IL was nominated by the President to chair the National Council on Disability (NCD), the first person with a disability to hold this position. Marca is the president and CEO of Access Living of Metropolitan Chicago.

8. Lillian Pollo
National Council on Disability (NCD)

(b)(6)

Ms. Pollo of Miami, FL was appointed by the President to the NCD. She is a secretary at the University of Miami, School of Medicine and also operates her own secretarial service.

9. Hughey Walker
National Council on Disability (NCD)

(b)(6)

Mr. Walker of Hemingway, SC is the former chairman of the Georgetown County Council. Mr. Walker was confirmed to be a member of the NCD in December of 1995.

Special Attendant, Not Part of Ceremony:
Pamela Walker (spouse of Hughey Walker)

(b)(6)

10. Ela Yazzie-King
National Council on Disability (NCD)

(b)(6)

Ms. Yazzie-King of Saint Michaels, AZ was confirmed by the Senate as a member of the NCD in April of 1995. She is the regional team coordinator of the Indian Children's Program.

Special Attendant, Not Part of Ceremony:
Jessicka Yazzie-King (daughter of Ela Yazzie-King)

(b)(6)

11. Robert Holland

(b)(6)

Robert Holland lives with his daughter Rachel (below) in Sacramento, CA. Rachel was born with a developmental disability. Over the last several years, the Holland family has fought for the civil rights of children with disabilities and has worked in conjunction with the Administration to uphold provisions of IDEA, which enabled Rachel's full inclusion in the regular classroom.

12. Rachel Holland

(b)(6)

Rachel is the 14 year old daughter of Robert Holland (above) and has a developmental disability. Rachel and her Dad participated in NCD's National Summit on Disability Policy.

President Clinton Before A
Report From Disasters
Thru "Acting Day"

ON THE ~~10th~~ OF JULY
10th Anniversary OF THE NDA.

NIA-
NDA-

MONDAY