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Subgroup/Office of Origin: Counsel Office

Series/Staff Member: Marvin Krislov

Subseries:

OA/ID Number: 18946

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Folder Title:

Americans with Disabilities Act (ADA): Disabilities

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Withdrawal/Redaction Sheet

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. form	Request for Appointments; RE: Personally Identifiable Information [partial] (1 page)	07/01/1994	b(6)
002. form	Request for Appointments; RE: Personally Identifiable Information [partial] (1 page)	07/01/1994	b(6)

COLLECTION:

Clinton Presidential Records
Counsel Office
Marvin Krislov
OA/Box Number: 18946

FOLDER TITLE:

Americans with Disabilities Act (ADA): Disabilities

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]
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- 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]

MAKIN --
I have this
on disk somewhere...

DRAFT

April 29, 1994

MEMORANDUM FOR WHITE HOUSE PERSONNEL OFFICERS

FROM: CHERYL D. MILLS
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Compliance with the Americans With
Disabilities Act

The Americans With Disabilities Act (ADA), enacted on July 26, 1990, prohibits discrimination against individuals with disabilities in employment, public services, public accommodations, transportation, and telecommunications. The ADA has no direct impact on hiring procedures in the federal government because since 1973, the federal government and all recipients of federal funds have been prohibited from discriminating against individuals with disabilities in all programs and activities.¹ However, the ADA has had an indirect effect on federal employment practices because of the heightened public awareness and heightened scrutiny in the wake of the passage of the ADA. This memorandum provides an overview of the laws that prohibit discrimination by the federal government against people with disabilities and offers guidelines for appropriate behavior by federal employees involved in personnel actions.

I. Legal Prohibitions on Employment Discrimination Against
People with Disabilities

Section 504 of the Rehabilitation Act of 1973, as amended in 1974 and 1978, prohibits discrimination on the basis of disability in programs and activities that are conducted by federal agencies or

¹An "individual with disabilities" is defined as any person who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment. Physical impairment includes any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory, including speech organs, cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin and endocrine. Mental impairment includes any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. Major life activities include functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

recipients of federal assistance. Regulations have been promulgated under this law that govern the Executive Office of the President and the White House Office.² In 1990, the ADA extended the principles embodied in § 504 to private employers, state and local governments, employment agencies, and labor unions.

II. Employment Practices

In effect, Section 504 prohibits discrimination in **all employment actions** -- including recruitment, application, hiring, promotions, compensation, training, and termination.³ The White House has adopted the regulations promulgated by the EEOC that prohibit discrimination against people with disabilities. 3 CFR § 102.140. According to those regulations, the White House shall "give full consideration to the hiring, placement, and advancement of qualified mentally and physically handicapped persons." 29 CFR § 1613.703. Furthermore, the White House shall make "reasonable accommodation" to the known limitations of the disabled applicant or employee.

The process of identifying whether, and to what extent, an accommodation is required should be flexible and involve both the employer and the individual with a disability. Accommodations are designed on a case-by-case basis to match the needs of the disabled individual with the needs of the job's essential functions.

A. Interviews

When conducting interviews for positions in the White House, a federal employee may not ask if an applicant is disabled, nor may the employee ask about the nature or severity of an applicant's disability. It is also generally inappropriate to request a pre-

²For the purposes of these regulations, the Executive Office of the President includes the White House Office, the Office of the Vice President, the Office of Management and Budget, the Office of Policy Development, the National Security Council, the Office of Science and Technology Policy, the Office of the United States Trade Representative, the Council on Environmental Quality, the Council of Economic Advisors, the Office of Administration, the Office of Federal Procurement Policy, and any committee, board, commission, or similar group established in the Executive Office of the President. 3 CFR § 102.103.

³"No otherwise qualified handicapped individual in the United States . . . shall, solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance or under any program or activity conducted by any Executive agency" P.L. 93-113 (Oct. 1, 1973), as amended by P.L. 95-602 (Nov. 6, 1978).

employment medical examination. However, it may be appropriate to ask about an applicant's ability to perform the job. For example, it is inappropriate to ask: "Are you blind?" Yet, it is appropriate to ask: "Are you able to use a standard computer screen or do you need a special adaptor?"

The White House may condition an offer of employment on the results of a preemployment medical examination only if all entering employees are subjected to such an examination. If an individual is not hired because a post-offer medical examination or inquiry reveals a disability, the reason(s) for not hiring must be job-related and consistent with business necessity. The employer also must show that no reasonable accommodation was available that would enable the individual to perform the essential job functions, or that accommodation would impose an undue hardship. The results of any such examination must be used in a nondiscriminatory manner.

Because the White House is expected to make every effort to hire, place, and promote people with disabilities, the White House may give applicants the opportunity to indicate that they are disabled. However, the White House must make it clear that this information will only be used for affirmative action purposes and provision of such information is completely voluntary. No applicant will be subject to any adverse consideration if he or she refuses to provide this information.

If provided, information that an applicant is disabled and/or the extent of his or her disability must be kept confidential except that managers, selecting officials, and others involved in making the hiring decision may be notified of the applicant's disability for affirmative action purposes.

B. Hiring

In hiring, the White House may not use any employment test or other criterion that screen out or tends to screen out qualified people with disabilities unless the test or criterion is shown to be job-related or the Civil Service Commission's Director of Personnel Research and Development Center has not shown that a better alternative is available. For example, _____. 29 CFR § 1613.705(a).

In addition, when the White House selects employment tests to be administered to applicants or employees with disabilities that impair sensory, manual, or speaking skills, the White House must ensure that the test accurately measures the applicant's ability to perform the essential functions of the job, rather than reflecting the applicant's disabilities. 29 CFR § 1613.705(b). For example, if an individual with impaired speech is applying for a job as a receptionist, the test may reflect his or her speech impairment. However, if the individual is applying for a job responding to the President's written correspondence, he or she must be tested in such a way that his or her speech

impairment does not factor into the results, i.e. given a written test.

C. Accommodations

If an employee with disabilities needs reasonable accommodations to allow him or her to perform the essential functions of a job, the White House will provide the necessary modifications to the job and work environment.

The anti-discrimination regulations strive to ensure that people with disabilities have access to equal employment opportunities. Employers have an affirmative obligation to make to remove barriers to equal access. For example, the White House is expected to adjust the way a job is customarily performed, including restructuring the job to a part-time or modified work schedule. Alternatively, the White House could modify the work environment by adapting equipment or devices, adjusting or modifying examinations, or providing readers and interpreters. The White House may accommodate a current employee by reassigning him or her to a vacant position for which her or she is qualified, if the person is unable to do the original job because of a disability even with an accommodation. These laws, however, do not relieve a disabled employee or applicant from the obligation to perform the essential functions of the job, nor do the laws require the employer to make accommodations that cause an undue hardship.⁴

If it is determined that an accommodation would cause undue hardship, the White House must try to identify another accommodation that will not cause such a hardship or give the disabled individual the option of paying that portion of the cost which would constitute an undue hardship or providing the accommodation.

D. Termination

[CDM: I haven't found anything specific about termination procedures yet. Also, I will add specifics about treatment of individuals about AIDS next week. I really need your help with concrete, White House examples of situations that might arise.]

⁴The factors to be considered in determining whether accommodations cause an undue hardship include: (1) the overall size of an agency's program including the number of employees, the number and type of facilities and size of budget; (2) the type of agency operation, including the composition and structure of the agency's workforce; and (3) the nature and cost of the accommodation. 29 CFR § 1613.704(c).



UNITED STATES
OFFICE OF CONSUMER AFFAIRS
1620 L ST. NW Suite 700, Washington, D.C. 20036

TO: JOEL KLEIN

Tel.# 456-6611 **Fax #** 456-6279

FROM: Paul Miller

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

MESSAGE:



Message

John Herr w/ Comm.
person

~~John Herr~~ to be
id.

Justice

MEMORANDUM TO JOEL KLEIN, Deputy Counsel to the President

FROM: Paul Steven Miller

DATE: June 10, 1994

SUBJECT: Disability Community Issues

I was glad to participate in yesterday's meeting discussing issues of concern to the disability community. Please continue to let me know how I can be of assistance to you on these issues. I have taken the liberty to jot down some ideas that I raised in the meeting and subsequently thought about concerning the disability community.

- **Actions That Can Be Taken to Address Concerns Raised by the Disability Community:**

- July 26th Event Commemorating the Americans with Disabilities Act ("ADA")

- Announce that an event will occur with the President on the South Lawn of the White House to commemorate the passage of the ADA. Begin the planning of the event now, as there are logistical issues which arise in planning an event with large numbers of disabled persons.
 - The event should not only be a celebration for the disability community, but also serve to educate the public about the new provisions of the ADA affecting small business, and reiterate the President's commitment to enforce of the Act.
 - The event should be a coordinated effort including various cabinet officials from Justice, Labor, Education, SBA, etc.

- Coordinate Series of Events Leading Up to ADA Commemoration Event

- Create a coordinated Administration "message" leading up to the Presidential event which all tie into providing information about and lending strong support for the new provisions of the ADA. For example, a public service announcement, the Administration's efforts to make the White House fully accessible, including tours, etc., additional staff for the ADA enforcement unit at Justice should be highlighted. Agencies involved should be Justice, Labor, Education, Small Business Administration, EEOC, etc. When the White

Point Person

Paul M.

Joe

Joe K.

leader?

1

Joel Klein
June 10, 1994
Page 2

House Mess becomes accessible, schedule a reception with members of the disability community, hosted by the Chief of Staff to show off the renewed accessibility at the Mess. (At one time the Mess was accessible during the FDR administration, but the access was removed following FDR's death.)

- Develop and announce the issuance of a policy that the President, First Lady, Vice-President or members of the Cabinet will not stay at inaccessible hotels when traveling in the United States or speak at venues which are not in compliance with the ADA. In the past, there have been problems with the President and some Cabinet secretaries speaking at non-complying venues and with a lack of assistive listening devices (for the Deaf and hard of hearing) at events.

Get Administration Message on Disability Issue Accomplishments Out

- At the meeting we discussed the perceived problem that a positive message about what the Administration is doing in the area of disability policy is not getting out. Thus, the Administration may want to take the pro active initiative to create a Clinton Administration report card on positive changes that have occurred which benefit to the disability community. The day prior to the ADA event, discuss the report at the press briefing. Invite the disability press, in addition the mainstream press, to the press briefing in order to get the message out to the disability community.

Identify a Disabled Person as Point Person in the White House on Disability Issues

- Bring a person with a disability into the White House to serve as a point person on disability issues, including liaison, message and policy. The person can be located in either the Offices of Political Affairs, Public Liaison or Domestic Policy. Although I have not spoken directly to any of the following individuals regarding their willingness to serve in this capacity, the following are a couple of names of persons with disabilities who may be appropriate to fill this gap at the White House on disability issues (*all are persons with disabilities*):
 - Becky Ogle -- A recognized leader in the disability community and currently project director the National Association of Medical Equipment Suppliers. She was very active in the campaign and a critical person who insured that the Inauguration was accessible. Very involved in health care reform on behalf of the President.
 - Thea Spires -- Currently a special assistant in the Office of the Assistant

Joel Klein
June 10, 1994
Page 3

to the Secretary for Field Management at HUD. Former program director for the Maine Human Rights Commission.

- Theda Zawaiza -- Currently a special assistant to the Assistant Secretary of Education for Special Education and Rehabilitation Services. Former Chief of Staff to Congressman Major Owens (NY).

Appointments of Persons with Disabilities in the Clinton Administration

- Make appointments of persons with disabilities to several key departments which thus far have not appointed anyone with a disability. The key departments with no disabled political appointees are: the Departments of Labor, Commerce, Small Business Administration and Fair Housing (HUD).

Vetting Issues

- Expedite the vetting process for the Access Board, the National Council on Disability and the President's Committee on Mental Retardation to be sure that announcements of new members can be made in advance of the July 26th event. (The Access Board appointees need to be in place before July 13, 1994 in order that a Clinton appointee be elected chairperson of that board. See attached memo.)
- Bring to closure outstanding vetting issues concerning nominees for the National Council on Disability.

Please do not hesitate to contact me further to discuss these issues. I can be reached at either 456-7026 or 634-9610.

**MEMORANDUM TO VERONICA BIGGINS, Assistant to the President and Director
of Presidential Personnel**

CC: PEG CLARK, Associate Director of Presidential Personnel

FROM: Paul Steven Miller

DATE: June 2, 1994

SUBJECT: Architectural and Transportation Barriers Compliance Board -- Need for
Expedited Vetting for the Recently Nominated Appointees

There is a great need for an expedited vetting process for the appointees recently signed off on to the Architectural and Transportation Barriers Compliance Board (the "Access Board"). The President recently signed off on the following individuals to serve on the Access Board: Jack Catlin, Donna Sorkin, Pamela Young-Holmes and Bill Sims.

July 13, 1994 is the last meeting that Judy Heumann, a Clinton appointee, will be eligible to chair the Access Board. By statute, the next chairperson of the Access Board must be a public member. At the following meeting of the Access Board, which will be held during the second week of September, the Board will vote on a new chair. If a Clinton public member appointee is not in place by that time, then a Republican will become the chairperson of the Access Board. It is preferable for at least one public member to be confirmed to the Access Board by the July meeting so that the Clinton appointee has attended at least one meeting prior to being elected chairperson. Incidentally, Jack Catlin, a disabled architect recently signed off by the President, is a likely candidate to be chairperson.

Therefore, the vetting process for these nominees should be on the fastest track possible. I believe that once cleared, Senators Kennedy and Harkin will be most helpful in expediting the confirmation process as they have personal interests in the Access Board.

Please do not hesitate to contact me with any further questions or comments regarding this important matter. My number is 634-9610. I will be out of the office on Friday and Monday, June 3 and 6th. However, Liz Savage from the Department of Justice has been involved in the Access Board issues and she is available to provide further information if you can not reach me. Liz's number at Justice is 514-4279.

June 9, 1994

Joel
please do
not circulate. Joel/Chris
Todd

6/9

Michela pulled
this together for
me this afternoon.

Also, it is my
understanding that
the Situation Room mess
will be fixed late Aug.

MEMORANDUM FOR TODD CAMPBELL

FROM: MICHELA ALIOTO

RE: ADA COMPLIANCE

As you know, according to the ADA "the nation's proper goals regarding individuals with disabilities are to assure equality of opportunity, full participation, independent living, and economic self-sufficiency for such individuals." Furthermore, the purpose of this act is to "ensure that the Federal Government plays a central role in enforcing the standards established in the ADA."

One key word in the above mentioned paragraph is "independent;" defined in Webster's as "free from the influence, **control** or determination of another." In other words, it is important that areas within this complex are permanently accessible. The temporary ramps used in Room 450 of the OEOB or the 2nd floor lobby of the WW do not comply. Other violations include the double doors to the WW off of West Executive Avenue and the press briefing room in the WW.

However, I consider it irresponsible to believe that the access problem can be solved by simple construction work. Inaccessibility is not the problem but one of the symptoms to a larger dilemma. Earlier you asked me to give you contacts of people within this complex who can deal with the issue of the ADA and how to respond to it with "politically correct" language. With the exception of Stan Harr, (a very nice WH Fellow whose job is unclear and undistinguished) no one works on this issue and I have yet to find someone who can answer disability questions with the deserved respect, knowledge and experience.

Subsequently, the problem seems to be with the lack of interest in this constituency. Unlike other constituencies, such as Hispanic or African American, there is no contact person within the WH for disabilities. As a result, no one has been tracking speeches, events, legislation or appointments -- this could be the reason for the delays in confirming all of the nominated members of the President's Council on Disability and the Chairman of the EEOC (a position considered the second most important civil rights job in government after the assistant attorney general for civil rights at the Justice Department.) It could also be the reason for the allowance of newly established (this administration) inaccessible picnic areas, curtains instead of doors in accessible stalls, and the infamous WH mess / situation room drama.

As you know, the ADA needs to be followed in thought, theory and action. But before people will follow, they need to be lead by an Administration that holds the principles of the ADA with respect and in high regard.

Attached is a short document listing only a few issues effecting people with disabilities that I strongly believe should be tracked and followed through on by someone within this complex.

ADMINISTRATION APPOINTMENTS

Chairman/woman of the EEOC

No one has yet been appointed to this position. As you know, this is considered the second most important civil rights job in government after the assistant attorney general for civil rights at the Justice Department.

Nominees to the President's National Council on Disability

The three nominated board members have not yet been confirmed.

WHITE HOUSE / OEOB ADA COMPLIANCE

Doors into the West Wing There are numerous french doors that are inaccessible unless both are always open.

Press Briefing Room

Picnic area

Temporary ramps

West Wing 1st floor lobby exit/entrance
Room 450

PRESIDENT'S COMMITTEE ON EMPLOYMENT OF PEOPLE WITH DISABILITIES

The President's Committee on Employment of People with Disabilities (CEPD) has recommended that the federal government undertake the development of a coordinated, comprehensive national disability policy that is driven by and consistent with the ADA. The CEPD drafted this proposal and printed it in a book entitled "Operation People First: Toward A National Disability Policy." They intend the policy to be developed over the next years, complete with legislative language, regulatory and programmatic change, and budget recommendations. They then intend on presenting this to the President and Congress.

This task is within the purpose, scope and charge of the President's Committee and the National Council on Disability. The President's Committee and the Council would need no additional authority and could commence work on the task immediately. However, as mentioned above, President Clinton's nominees have not yet been confirmed, including the Chairwoman.

NATIONAL SERVICE & PAS

During the campaign we specified that one way the government would help subsidise Personal Attendant Services (PAS) would be to add it to one of the community projects an individual could undertake to pay off their school debt.

OVER-THE-ROAD BUSES

Under the ADA, the Department of Transportation must issue regulations concerning over-the-road buses (OTRB). As you may know, OTRB's are buses with a high passenger deck and a below-deck baggage compartment, of the kind used by Greyhound, other intercity and local fixed-route operators, charter and tour companies. Accessibility to OTRB's under the ADA presents difficult legal, economic, and technical issues.

When Congress enacted the ADA, it directed DOT to establish limited interim regulations for OTRB's. These interim regulations call for OTRB operators to provide boarding assistance to individuals with disabilities and to carry wheelchairs in baggage. By statute, these interim rules could not require lifts or other specific boarding devices.

Based on concerns about the economic weakness of the intercity bus industry and the potential for reductions in OTRB service, particularly in rural areas, Congress directed the Office of Technology Assessment (OTA) to study issues relating to demand, technology, cost-effectiveness, and service impacts of implementing OTRB access. OTA published its report in May 1993.

OTA took the view that the ADA requires new OTRB's to be lift-equipped and requires passengers to be able to ride in their own wheelchairs, the highest cost approach to achieving OTRB accessibility. Under OTA's interpretation of the statute, DOT has little regulatory discretion to fashion more flexible requirements.

However, DOT felt OTA left many questions unanswered. As a result in October of 1993 DOT issued an advance notice of proposed rulemaking (ANPRM) to obtain views on the Department's discretion under the statute and technical, cost and service data critical to the development of a full range of OTRB regulatory options. The next step in the rulemaking process was for the Department to issue a notice of proposed rulemaking (NPRM).

In issuing this NPRM, and a final rule based on it, the ADA directs DOT to consider OTA's recommendations, but does not necessarily require them to adopt them. The General Council's office believes that DOT's regulatory discretion is considerably broader than OTA thought it was. Subsequently, DOT presented their Assistant Secretaries with an option paper to get their ideas on the basic approach DOT should take in the NPRM. Their ideas will then be forwarded to the Secretary for a decision.

Certain disability groups are concerned that the numbers DOT is working with are industry numbers which do not reflect favorably upon OTRBs.

ADMINISTRATIONS ACTIONS

- TRP project announced that will facilitate telecommunications accessibility

- Extend "Universal Service" concept to ensure that information resources are available to all at affordable prices.
- NPR directed OPM and GSA to propose legislation to enable flexiplace and telecommuting arrangements.

REGULATORY PROCEEDINGS

There are several regulatory proceedings that could affect individuals with disabilities. They go as follows:

- ✓ Assignment of a nationwide number for access to telecommunications relay services (TRS) is **awaiting** FCC approval. TRS operating since July 1993 with more than 9 million interstate minutes of calling completed to date.
- ✓ Hearing Aid Compatibility (HAC), the FCC has not responded to Emergency Request to reinstate the Enforcement of Hearing Aid Compatibility rules because parties opposing requirement claimed it was too costly and illegal. The deaf and hard of hearing communities strongly support HAC.
- ✓ Captioning of audio and video description services; both the development of the NII and the Grand Alliance HDTV proposals take into account the need for these services.
- ✓ Video dialtone. The National Center for Law and Deafness has filed comments with the FCC supporting options in the form of text or symbols to permit access by deaf and hard of hearing individuals. The FCC action is currently pending.
- ✓ Personal communications services. The National Center for Law and Deafness has filed comments with the FCC stating that if the communications needs of those with disabilities were not addressed in the initial stages of development of this technology, that service providers would object at the cost of retrofitting technology at a latter date. The FCC comment period is still open.

PENDING BILLS

There are a number of pending bills that would threaten decades of nationwide progress in public policies designed to ensure all Americans equal access to safe and healthy homes, schools, workplaces and communities, and basic civil rights. They go as follows:

S. 993 (Kempthorne).

This bill specifies that notwithstanding any other provision of law, any requirement under a Federal statute or regulation that creates a federal mandate shall apply to the state or local government only if all funds necessary

to pay the direct costs incurred by the state or local government for the fiscal year in which the direct cost that is in excess of the amount that the state or local government would incur in carrying out the activity in the absence of the federal mandate.

Beginning Thursday, Glenn has made a commitment to mark this bill up.

S. 1188 (Coverdell).

This bill specifies that an intergovernmental regulation may not be enforced against a state or local government unless there is sufficient appropriations of Federal funds and such funds have been made available to state and local governments in an amount sufficient to reimburse such governments for the total amount of "additional costs" incurred by those government in complying with the regulations.

S. 648 (Gregg).

This bill specifies that notwithstanding any other provision of law, no state or local government shall be obligated to take any action required by Federal law unless expenses associated with such obligation are fully funded by the Federal Government in accordance with a "pay or excuse" mechanism in the bill.

These bills all specify that the provisions related to unfunded mandates apply to legislation enacted after the date of enactment. This could include regulations that have not yet been issued in final form pursuant to legislation enacted prior to the passage of the bills; reauthorizations of existing legislation; amendments to existing legislation, and

☐ ACCEPT☐ REGRET☐ PENDING

TO: Ricki Seidman

FROM: Joe Velasquez

REQUEST: For the President to participate in an anniversary celebration of the Americans with Disabilities Act on the South Lawn of the White House.

PURPOSE: To reclaim one of the Bush Administration's most welcomed legislative achievements as our own by changing the ADA's focus to health care.

BACKGROUND: The disabled community is angry and disappointed with the Administration at the lack of attention paid to their special needs regarding health care reform.

This July marks the final stage of the law's implementation into society, an appropriate time for us to initiate discussion about its future under the Clinton Administration.

President Bush signed the ADA in 1990 (also on the South Lawn) but did not tackle health care reform as it relates to the disabled community. This opening gives the President a chance to mobilize the disabled community on our behalf, specifically with regard to health care.

About 1000 of the disabled community's top opinion leaders, political activists and grassroots coordinators would attend this event, and would follow with a massive lobbying effort on Capitol Hill immediately afterward.

DATE/TIME: July 26, 1994
Advance notice is critical to this event due to the nature of the community.

REMARKS: To be provided by Speechwriters.

LOCATION: White House South Lawn

MEDIA COVERAGE: Open Press

**FIRST LADY'S
ATTENDANCE:**

Requested

**VICE PRESIDENT'S
ATTENDANCE:**

Welcome but not essential

RECOMMENDED BY:

Political Affairs

CONTACT:

Joe Velasquez, x6-6257

July 1, 1994

MEMORANDUM FOR RICKI SEIDMAN
MIKE LUX

FROM: MARVIN KRISLOV *mk*
RE: Disabilities Planning Group

The attendees at the meeting held June 24, 1994 included: Chris Cerf (OA), Todd Campbell, Bob Boorstin, Debbie Fine, Joe Velasquez, Joel Klein, Paul Miller, Steve Warnath for Stan Herr. I have also spoken with Jennifer O'Connor who will be coordinating agency events.

Others present were: Paul Marchand (202) 785-3388; Becky Ogle (703) 836-6263; Justin Dart (202) 488-7684; Tony Coelho (202); Pat Wright (202) 986-0375; Len Rubenstein (202) 467-5730; Liz Savage (DOJ) (202) 514-4279. Tony Coelho also suggested that John Lancaster (202) 376-6200 be invited. Attached are WAVES lists that you may wish to use for a future meeting.

Please let me know if I may be of assistance.

cc: Joel Klein

Attachments (2)

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b(9) Release would disclose geological or geophysical information
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REQUEST FOR APPOINTMENTS

To: Officer-in-charge
Workers and Visitor Entrance System
Room 065, OEOB

Please admit the following appointments on July 1, 19 94
for Marvin Krislov of WH Counsel
(name of person to be visited) (agency)

<u>NAME</u>	<u>DATE OF BIRTH</u>	<u>SOCIAL SECURITY NUMBER</u>
Coelho, Anthony Lee		[001]
Ogle, Rebecca		
Dart, Justin		
Marchand, Paul		
Savage, Elizabeth	(b)(6)	
Wright, Patrisha		
LANCASTER, John		(b)(6)

called
4:20 PM
4/30

MEETING LOCATION

Building OEOB Requested by Sylvia M. Jarrell
Room No. 472 Room No. 130 Telephone 67903
Time of Meeting 1:30 p.m. Date of request June 29, 1994

Additions and/or changes made by telephone should be limited to five (5) names or less.

WAVES Center: WHITE HOUSE — 456-6742

UNITED STATES SECRET SERVICE

(SEE REVERSE FOR PRIVACY ACT STATEMENT)

SSF 2037 (09/91)

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. form	Request for Appointments; RE: Personally Identifiable Information [partial] (1 page)	07/01/1994	b(6)

COLLECTION:

Clinton Presidential Records
Counsel Office
Marvin Krislov
OA/Box Number: 18946

FOLDER TITLE:

Americans with Disabilities Act (ADA): Disabilities

2007-0143-F
db4483

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]

REQUEST FOR APPOINTMENTS

To: Officer-in-charge
Workers and Visitor Entrance System
Room 065, OEOB

Please admit the following appointments on July 1, 19 94
for Marvin Krislov of WH Counsel
(name of person to be visited) (agency)

<u>NAME</u>	<u>DATE OF BIRTH</u>	<u>SOCIAL SECURITY NUMBER</u>
Coelho, Anthony Lee		[002]
Ogle, Rebecca		
Dart, Justin		
Marchand, Paul	(b)(6)	
Savage, Elizabeth		
Rubenstein, Leonard S.		
Wright, Patrisha		

MEETING LOCATION

Building OEOB Requested by Sylvia M. Jarrell
Room No. 472 Room No. 130 Telephone 67903
Time of Meeting 1:30 p.m. Date of request June 29, 1994

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WAVES Center: WHITE HOUSE — 456-6742

THE WHITE HOUSE

WASHINGTON

JUN 28 1994

MEMORANDUM FOR EXECUTIVE OFFICE OF THE PRESIDENT STAFF

FROM: KRISTINE GEBBIE 
COORDINATOR
NATIONAL AIDS POLICY OFFICE

SUBJECT: Presidential Initiative on HIV/AIDS Education

It is great pleasure that I report on the leadership record of the Executive Office of the President (EOP) in providing HIV/AIDS education to its staff. Shortly after issuance of the President's statement, the Office of Administration (OA) moved forward quickly to implement the education initiative on the staff level.

In addition to my briefings for senior White House officials, the EOP's program was developed and implemented for the remainder of the EOP staff, to meet the President's objectives. The EOP recently completed its initial education program which had an outstanding attendance record. That record of staff participation is cause for recognition, which is why I am issuing this memorandum. In addition, the EOP quarterly report on HIV/AIDS education progress clearly establishes the EOP as a leader in this important effort.

As we focus on ongoing training efforts, I am confident that the EOP will provide other programs for the staff. I look forward to the EOP's continuing support.

I am delighted to include the EOP success story in my message as I meet with groups throughout the country.

July 25 - party.

drop by - POTUS, JL.

jogging shoes.

Pres. - Employment. CEO's.

July 25 → 5:00 / Tues

6:00 - reception.

GO - CEO.

1:30 - Coelho

6/24/94

1) Date: 7/26 Tues.
phase-in last provisions.

2) 15 mins - speeches
South Lawn.

POTUS
IL

8:30 -

Bush - 2000 +
Israeli-Pales - 3000

Folding chairs

speech - health insurance.
health care

3) lists → Public Liaison
~~3700~~ 3700 invitations

[Collect invitations - Pat Wright, Becky Ogle.
July 1 → Mike Lux
Cross-checking by orgs.

July 26

invitations - Social office, Public Liaison.

accessibility.

video request -> Boorstin.

program / Family
/ disab.

POTUS - health care message.
ADA.

Funding \$ knts?
 teachers

\$2-3,000 → Lax to check w/ Social
 office.

lemonade tea -
 shaded area.

porta-toilets accessible
 both gates open.

Comm. people to help with SS.

arrest records

seating - Emperor
shd be non-wheelchairs w/ wheelchairs
[training - volunteers] Betty Ogle
disabled.

technical assistance.

military better than volunteers.

- interpreters
- audio loops. FM antenna.

lists: add 10-20

large print Braille + souvenir program.
Clinton creed -
indigo, not dog.

(ramp) stage.

(guide dogs)

Cabinet Affairs - coord. w/ them

- Cabinet AG, Patrick
- Congress
- sr. staff.

Program cross disability visual
demog. diverse group.

- Coelho
- POTUS
- IL

"making the ADA a Political Reality."
list app'tees

- app'tees
- Commtg
- Cabinet
M.C.
- Sr. staff.

Risks video - Joe V.

& - Coelho

Satellite events

- 1) Reno - PSA
- & Cabinet officer - disability
Labor - 1 disabled.

1/25 - Union Station Transmutal Ball We the People.

ATTORNEY CLIENT PRODUCT
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June 19, 1994

MEMORANDUM FOR WHITE HOUSE DISABILITIES EVENT PLANNING GROUP

TODD CAMPBELL
CHRIS CERF
JOE VALASQUEZ
DEBBIE FINE
MIKE LUX
BOB BOORSTIN
PAUL MILLER
STAN HERR

FROM: JOEL KLEIN
MARVIN KRISLOV

RE: Future Plans

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

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

1. Event Planning

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

All hands--Valasquez, Miller, etc.

2. Record of Accomplishments/Message:

In preparation for event but also in general terms.
Need to coordinate with agencies to identify
accomplishments, prepare materials, and pinpoint future
goals.

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

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

Sec. 3.2(C) Initials: JB Date: 9/18/97

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

Klein, Miller, Campbell (?)

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

Miller, Krislov

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

Cerf, Campbell

DRAFT

WHITE HOUSE DISABILITIES EVENT PLANNING MEETING

*June 24, 1994
2:00 p.m.
Room 211 OEOB*

AGENDA

- THEME
- PROGRAM
- WHO IS INVITED
- ACCESSABILITY ISSUES
- FUNDING

...anticipate querying abt. date -

-Coordination w/ depts/agencies:

*labor
DOJ
SBA
Ed.
EEOC*