FOIA Number: 2007-0143-F

FOIA
MARKER

This is not a textual record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

Collection/Record Group: Clinton Presidential Records

Subgroup/Office of Origin: Presidential Personnel

Series/Staff Member: General Files

Subseries:

OA/ID Number: 7526

FolderID:

Folder Title:
National Council on Disability: Decision/Discussion Memos

Stack:	Row:	Section:	Shelf:	Position:
S	46	5	9	1

Withdrawal/Redaction Sheet
Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Janet Blanchard, Tom Shea to the President; RE: National Council on Disability [partial] (1 page)	03/30/1993	b(6)
002. memo	Janet Blanchard, Tom Shea to the President; RE: National Council on Disability [partial] [duplicate of 001] (1 page)	03/30/1993	b(6)
003a. memo	Paul Steven Miller to Bob Hattoy; RE: Key Candidates with Disabilities for Positions in the Environmental Protection Agency (1 page)	04/09/1993	b(6)
003b. form	Presidential Transition Resume Routing Form; RE: Non-selection (1 page)	01/16/1993	b(6)
003c. resume	RE: Non-selection (2 pages)	00/00/0000	b(6)
003d. form	Presidential Transition Resume Routing Form; RE: Non-selection (1 page)	01/04/1993	b(6)
003e. fax	To: Paul Miller; RE: Non-selection (6 pages)	12/30/1992	b(6)
003f. letter	Tom Daschle to Governor Richard Riley; RE: Non-selection (1 page)	01/20/1993	b(6)
003g. form	Presidential Transition Resume Routing Form; RE: Non-selection (1 page)	03/05/1993	b(6)
003h. resume	RE: Non-selection (1 page)	00/00/0000	b(6)
003i. letter	To: Jan Piercy; RE: Non-selection (2 pages)	12/29/1992	b(6)

COLLECTION:

Clinton Presidential Records
Presidential Personnel
General Files
OA/Box Number: 7526

FOLDER TITLE:

National Council on Disability: Decision/Discussion Memos

2007-0143-F
db4528

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]

Withdrawal/Redaction Sheet
Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
004. memo	Paul Steven Miller to Janet Blanchard; RE: Disabled Candidates for the Commission on Presidential Scholars [partial] (1 page)	04/07/1993	b(6)
005. memo	Paul Steven Miller to Janet Blanchard, Tom Shea; RE: Disabled Candidate for the President's Council on Physical Fitness (1 page)	04/15/1993	b(6)
006. memo	Paul Steven Miller to Jan Piercy, John Emerson; RE: Status of Persons with Disabilities in the Personnel Process [partial] (4 pages)	03/25/1993	b(6)

COLLECTION:

Clinton Presidential Records
Presidential Personnel
General Files
OA/Box Number: 7526

FOLDER TITLE:

National Council on Disability: Decision/Discussion Memos

2007-0143-F
db4528

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]

155

Gary

THE WHITE HOUSE

WASHINGTON

March 30, 1993

BL

We need to discuss Bobby Silverstein who ran Am. Disabil. program — lots of folks from all over US have praised his effective work to get appt. or good job — call Marca about him before you clear her. Has she cleared it

B

MEMORANDUM FOR THE PRESIDENT

THROUGH: BRUCE LINDSEY, Director of Presidential Personnel

FROM: JANET BLANCHARD, Associate Director
TOM SHEA, Deputy Associate Director

RE: **NATIONAL COUNCIL ON DISABILITY**

I. BACKGROUND

The Council is responsible for promoting the integration, independence, and productivity of individuals with disabilities in the community, schools, the workplace and all other aspects of American life. In the fulfillment of this mission, the Council evaluates the effectiveness of federal government programs and statutes concerning individuals with disabilities. The Council has an annual budget of approximately $1.5 million and a full-time staff of eight.

II. DISCUSSION

There are currently seven available positions on the Council. One of the individuals nominated may also be designated to serve as Chair. This memorandum addresses the nomination for reappointment of two of the current members, the nomination for appointment of five new members, and the designation of one of the new members to serve as Chair. John Gannon (D-OH), was previously appointed Acting Chair by the President, pending the nomination, confirmation and designation of a permanent Chair.

III. RECOMMENDATION

We recommend that you approve the nomination of the following individuals:

MARCA BRISTO, Democrat of Illinois, to be a member of the National Council on Disabilities, vice Sandra Parrino. Ms. Bristo became disabled in a diving accident in 1979. She currently serves as the president and chief executive officer of Access Living, a non-residential independent living program for people with disabilities. Ms. Bristo helped to organize the disabilities community for Clinton/Gore '92.
Sponsor(s): Sen. Braun (D-IL); Sen. Harkin (D-IA); Sen. Simon (D-IL); Rep. Cardiss Collins (D-IL).

Approve: ✓ ____________________ Disapprove: ____________________

Withdrawal/Redaction Marker
Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Janet Blanchard, Tom Shea to the President; RE: National Council on Disability [partial] (1 page)	03/30/1993	b(6)

COLLECTION:

Clinton Presidential Records
Presidential Personnel
General Files
OA/Box Number: 7526

FOLDER TITLE:

National Council on Disability: Decision/Discussion Memos

2007-0143-F
db4528

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]

BONNIE O'DAY, Democrat of Massachusetts, to be a member of the National Council on Disabilities, vice George Oberle, Jr. Ms. O'Day, who is blind, currently serves as the Executive Director of the Boston Center for Independent Living, a non-profit organization providing services and advocacy for people with severe disabilities. She was a 1990 recipient of the Americans With Disabilities Act Award and helped to organize the disabilities community in Massachusetts for Clinton-Gore '92.

Approve: ____✓____ Disapprove: ________

[illegible]

HUGHEY WALKER, Democrat of South Carolina, to be member of the National Council on Disabilities, vice Mary Mobley Collins. Mr. Walker has served as Chair of the Georgetown County (SC) Council since 1982. Prior to 1982, Mr. Walker was the Advocate Counselor for the South Carolina Protection and Advocacy System for the Handicapped. Mr. Walker lost the use of his legs as a result of a gun-shot wound he received while in combat in Vietnam.

Approve: ____✓____ Disapprove: ________

[001]

(b)(6)

MICHELE ALIOTO, Democrat of California, to be a member of the National Council on Disability, vice Robert Muller. Ms. Alioto is the wife of former San Francisco Mayor Joseph Alioto. She has been deaf in one ear since birth and, in 1981, her daughter suffered a paralyzing spinal cord injury while skiing. She has been active in raising public awareness with respect to the rights of the disabled and has raised over five million dollars for medical research. Additionally, Ms. Alioto is the founder of the American Paralysis Association and the National Research Institute for Neural Injury at the University of California. She is the Director, Producer, Writer and host of segments on INSIDE CITY LIMITS, a television program on the Viacom Cable Network.
Sponsor(s): Sen. Dianne Feinstein (D-CA); Sen. Tom Harkin (D-IA); Rep. Marks (D-CA); Rep. Nancy Pelosi (D-CA).

Approve: ____✓____ Disapprove: ________

We recommend that you approve the nomination for reappointment of the following individuals:

JOHN ANTHONY GANNON, Democrat of Ohio, to be a member of the National Council on Disabilities. Mr. Gannon is currently the Acting Chair of the Council. He is the President emeritus of the International Association of Firefighters (IAFF) and the immediate past vice president of the AFL-CIO's Public Employees Department. He helped foster the development of the IAFF Burn Foundation to raise funds for research on the care of burn victims and recently represented the United States at an international conference on disabilities in Vienna.

Approve: ✓ Disapprove: ______

LAWRENCE BROWN, JR., Independent of Maryland, to be a member of the National Council on Disabilities. Mr. Brown is an executive with the Xerox Corporation and a former running back with the Washington Redskins. He has demonstrated a longstanding commitment to helping those in the community, especially those with disabilities. Moreover, he has been a tireless and productive member of the Council.

Approve: ✓ Disapprove: ______

We recommend that you approve the designation of the following individual:

MARCA BRISTO, Democrat of Illinois, to be **Chair** of the National Council on Disabilities, vice John Gannon.

Approve: ✓ Disapprove: ______

IV. OTHERS CONSIDERED

Other candidates considered for appointment to the Council are set forth in the spreadsheet attached hereto.

NATIONAL COUNCIL ON DISABILITIES
BACKGROUND INFORMATION

METHOD OF APPOINTMENT: PAS - Members of the Council are appointed by the President with the advice and consent of the Senate.

SENATE COMMITTEE REFERRAL: Nominations to the Council will be referred to the Senate Committee on Labor and Human Resources.

AUTHORIZING STATUTE OR EXECUTIVE ORDER: 29 U.S.C. § 780.

CABINET DEPARTMENT AFFILIATION: Independent.

COMPOSITION: The Council is composed of fifteen (15) members, who shall be appointed so as to be representative of handicapped individuals, national organizations concerned with the handicapped, providers and administrators of services to the handicapped, individuals engaged in conducting medical or scientific research relating to handicapped individuals, business concerns, and labor organizations. **At least five (5) members of the Council shall be disabled individuals, or parents or guardians of disabled individuals.**

TERM LENGTHS: Members of the Council shall serve for terms of three (3) years. Members may be reappointed and may serve after the expiration of their terms until their successors have taken office.

COMPENSATION: Members of the Council shall be entitled to receive compensation at a rate equal to the rate of basic pay for grade GS-18, including travel time, for each day engaged in the performance of their duties. In addition, while away from their homes or regular places of business in the performance of services for the Council, members shall be allowed travel expenses, including per diem in lieu of subsistence. Members of the Council who are full-time officers or employees of the United States, shall receive no additional compensation on account of their services on the Council except for compensation for travel expenses.

METHOD OF CHAIR SELECTION: The President shall designate the Chair from among the members of the Council.

CURRENT MEMBERSHIP:

Name	Title	Party	State	Term
FLACK, Anthony H.	Member	R	CT	9/17/94
RAETHER, Mary M.	Member	R	VA	9/17/94
RYAN, Shirley W.	Member	R	IL	9/17/94
ALLISON, Linda W.	Member	R	TX	9/17/93
BODRON, Ellis B.	Member	D	MS	9/17/93
SEGGERMAN, Anne C.	Member	R	CT	9/17/93
UNHJEM, Michael B.	Member	R	ND	9/17/93
WALSH, Helen W.	Member	R	CT	9/17/93
PARRINO, Sandra S.*	**Member**	**R**	**NY**	**9/17/92**
BROWN, Jr., Lawrence*	**Member**	**I**	**MD**	**9/17/92**
GANNON, John A.*	**Acting Chair**	**D**	**OH**	**9/17/92**
OBERLE, Jr., George H.*	**Member**	**R**	**OK**	**9/17/92**
WALDREP, Jr., Alvis K.*	**Member**	**R**	**TX**	**9/17/92**
MOBLEY COLLINS, Mary A.*	**Member**	**R**	**CA**	**9/17/91**
MULLER, Robert S.*	**Member**	**R**	**MI**	**9/17/91**

* denotes position(s) to be addressed.

BIOGRAPHICAL INFORMATION:

Members to be replaced:

PARRINO, Sandra S. (R-NY)
Education: AB-Briarcliff College. **Employment:** Chair, National Council on Disability, 1983-Present; Peer reviewer, U.S. Department of Education, Rehabilitation Services Administration, 1982; Founder and Director, Office for the Disabled, Towns of Ossining/Briarcliff Manor, New York, 1979-1982; Business Manager and Administrator, Dr. G. Richard Parrino Medical Offices, 1967-1982.

MOBLEY-COLLINS, Mary Ann (R-CA)
Education: University of Mississippi. **Employment:** Member, National Council on Disability, 1990-Present; Former Miss America; Actress and singer; Disabilities advocate, National March of Dimes Telethon and Mothers' March Against Birth Defects.

WALDREP, JR., Alvis Kent (R-TX)
Education: Attended Texas Christian University. **Employment:** Member, National Council on Disability, 1982-Present; Founder, President and CEO, Kent Waldrep National Paralysis Foundation, 1985-Present; President and CEO, American Paralysis Association, 1982-1985; Founder, President and CEO, Kent Waldrep International Spinal Cord Research Foundation, 1979-1981; Assistant Sports Information Director, Texas Christian University, 1977-1979.

OBERLE, George Hurley (R-OK)
Education: PED-Indiana University, 1969; MS-Butler University, 1956; AB-Earlham College, 1952. **Employment:** Member, National Council on Disability, 1990-Present; Professor and Director, School of Health, Physical Education and Leisure, Oklahoma State University, 1974-Present; Director of Unified Sports, Special Olympics, International, Kennedy Foundation, 1988-1989; Chair and Professor, Department of Health, Physical Education Recreation and Athletics, Chicago State University, 1971-1974; Assistant Dean, School of Health, Physical Education and Recreation, Indiana State University, 1962-1971; City Supervisor of Health and Physical Education, City Director of Athletics, Marion Public Schools, 1960-1962.

MULLER, Robert S. (R-MI)
There is no biographical information available on Mr. Muller other than that he is from Michigan and that he is an administrator of the Steelcase, Inc., as well as a university professor and chair of the National Roundtable on Corporate Development for Americans with Disabilities. He also is a member of the board of directors for the Hope Rehabilitation Network.

THE WHITE HOUSE

WASHINGTON

March 30, 1993

BL

We need to discuss Bobby Silverstein + new Adm. disability program + to get folks from all over US, names, regional activity; effective ones to get appt. or good job — call Hanna about Leiner before you clear him. Has he cleared it

B

MEMORANDUM FOR THE PRESIDENT

THROUGH: BRUCE LINDSEY, Director of Presidential Personnel

FROM: JANET BLANCHARD, Associate Director
TOM SHEA, Deputy Associate Director

RE: **NATIONAL COUNCIL ON DISABILITY**

I. BACKGROUND

The Council is responsible for promoting the integration, independence, and productivity of individuals with disabilities in the community, schools, the workplace and all other aspects of American life. In the fulfillment of this mission, the Council evaluates the effectiveness of federal government programs and statutes concerning individuals with disabilities. The Council has an annual budget of approximately $1.5 million and a full-time staff of eight.

II. DISCUSSION

There are currently seven available positions on the Council. One of the individuals nominated may also be designated to serve as Chair. This memorandum addresses the nomination for reappointment of two of the current members, the nomination for appointment of five new members, and the designation of one of the new members to serve as Chair. John Gannon (D-OH), was previously appointed Acting Chair by the President, pending the nomination, confirmation and designation of a permanent Chair.

III. RECOMMENDATION

We recommend that you approve the nomination of the following individuals:

MARCA BRISTO, Democrat of Illinois, to be a member of the National Council on Disabilities, vice Sandra Parrino. Ms. Bristo became disabled in a diving accident in 1979. She currently serves as the president and chief executive officer of Access Living, a non-residential independent living program for people with disabilities. Ms. Bristo helped to organize the disabilities community for Clinton/Gore '92.
Sponsor(s): Sen. Braun (D-IL); Sen. Harkin (D-IA); Sen. Simon (D-IL); Rep. Cardiss Collins (D-IL).

Approve: ✓ ______________ Disapprove: ______________

Withdrawal/Redaction Marker
Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. memo	Janet Blanchard, Tom Shea to the President; RE: National Council on Disability [partial] [duplicate of 001] (1 page)	03/30/1993	b(6)

COLLECTION:

Clinton Presidential Records
Presidential Personnel
General Files
OA/Box Number: 7526

FOLDER TITLE:

National Council on Disability: Decision/Discussion Memos

2007-0143-F
db4528

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]

BONNIE O'DAY, Democrat of Massachusetts, to be a member of the National Council on Disabilities, vice George Oberle, Jr. Ms. O'Day, who is blind, currently serves as the Executive Director of the Boston Center for Independent Living, a non-profit organization providing services and advocacy for people with severe disabilities. She was a 1990 recipient of the Americans With Disabilities Act Award and helped to organize the disabilities community in Massachusetts for Clinton-Gore '92.

Approve: √   Disapprove: ____________

HUGHEY WALKER, Democrat of South Carolina, to be member of the National Council on Disabilities, vice Mary Mobley Collins. Mr. Walker has served as Chair of the Georgetown County (SC) Council since 1982. Prior to 1982, Mr. Walker was the Advocate Counselor for the South Carolina Protection and Advocacy System for the Handicapped. Mr. Walker lost the use of his legs as a result of a gun-shot wound he received while in combat in Vietnam.

Approve: √   Disapprove: ____________

[redacted] (b)(6)

[002]

MICHELE ALIOTO, Democrat of California, to be a member of the National Council on Disability, vice Robert Muller. Ms. Alioto is the wife of former San Francisco Mayor Joseph Alioto. She has been deaf in one ear since birth and, in 1981, her daughter suffered a paralyzing spinal cord injury while skiing. She has been active in raising public awareness with respect to the rights of the disabled and has raised over five million dollars for medical research. Additionally, Ms. Alioto is the founder of the American Paralysis Association and the National Research Institute for Neural Injury at the University of California. She is the Director, Producer, Writer and host of segments on INSIDE CITY LIMITS, a television program on the Viacom Cable Network.
Sponsor(s): Sen. Dianne Feinstein (D-CA); Sen. Tom Harkin (D-IA); Rep. Marks (D-CA); Rep. Nancy Pelosi (D-CA).

Approve: √   Disapprove: ____________

We recommend that you approve the nomination for reappointment of the following individuals:

JOHN ANTHONY GANNON, Democrat of Ohio, to be a member of the National Council on Disabilities. Mr. Gannon is currently the Acting Chair of the Council. He is the President emeritus of the International Association of Firefighters (IAFF) and the immediate past vice president of the AFL-CIO's Public Employees Department. He helped foster the development of the IAFF Burn Foundation to raise funds for research on the care of burn victims and recently represented the United States at an international conference on disabilities in Vienna.

Approve: ✓ Disapprove: ____________

LAWRENCE BROWN, JR., Independent of Maryland, to be a member of the National Council on Disabilities. Mr. Brown is an executive with the Xerox Corporation and a former running back with the Washington Redskins. He has demonstrated a longstanding commitment to helping those in the community, especially those with disabilities. Moreover, he has been a tireless and productive member of the Council.

Approve: ✓ Disapprove: ____________

We recommend that you approve the designation of the following individual:

MARCA BRISTO, Democrat of Illinois, to be **Chair** of the National Council on Disabilities, vice John Gannon.

Approve: ✓ Disapprove: ____________

IV. OTHERS CONSIDERED

Other candidates considered for appointment to the Council are set forth in the spreadsheet attached hereto.

NATIONAL COUNCIL ON DISABILITIES
BACKGROUND INFORMATION

METHOD OF APPOINTMENT: PAS - Members of the Council are appointed by the President with the advice and consent of the Senate.

SENATE COMMITTEE REFERRAL: Nominations to the Council will be referred to the Senate Committee on Labor and Human Resources.

AUTHORIZING STATUTE OR EXECUTIVE ORDER: 29 U.S.C. § 780.

CABINET DEPARTMENT AFFILIATION: Independent.

COMPOSITION: The Council is composed of fifteen (15) members, who shall be appointed so as to be representative of handicapped individuals, national organizations concerned with the handicapped, providers and administrators of services to the handicapped, individuals engaged in conducting medical or scientific research relating to handicapped individuals, business concerns, and labor organizations. **At least five (5) members of the Council shall be disabled individuals, or parents or guardians of disabled individuals.**

TERM LENGTHS: Members of the Council shall serve for terms of three (3) years. Members may be reappointed and may serve after the expiration of their terms until their successors have taken office.

COMPENSATION: Members of the Council shall be entitled to receive compensation at a rate equal to the rate of basic pay for grade GS-18, including travel time, for each day engaged in the performance of their duties. In addition, while away from their homes or regular places of business in the performance of services for the Council, members shall be allowed travel expenses, including per diem in lieu of subsistence. Members of the Council who are full-time officers or employees of the United States, shall receive no additional compensation on account of their services on the Council except for compensation for travel expenses.

METHOD OF CHAIR SELECTION: The President shall designate the Chair from among the members of the Council.

CURRENT MEMBERSHIP:

Name	Title	Party	State	Term
FLACK, Anthony H.	Member	R	CT	9/17/94
RAETHER, Mary M.	Member	R	VA	9/17/94
RYAN, Shirley W.	Member	R	IL	9/17/94
ALLISON, Linda W.	Member	R	TX	9/17/93
BODRON, Ellis B.	Member	D	MS	9/17/93
SEGGERMAN, Anne C.	Member	R	CT	9/17/93
UNHJEM, Michael B.	Member	R	ND	9/17/93
WALSH, Helen W.	Member	R	CT	9/17/93
PARRINO, Sandra S.*	**Member**	**R**	**NY**	**9/17/92**
BROWN, Jr., Lawrence*	**Member**	**I**	**MD**	**9/17/92**
GANNON, John A.*	**Acting Chair**	**D**	**OH**	**9/17/92**
OBERLE, Jr., George H.*	**Member**	**R**	**OK**	**9/17/92**
WALDREP, Jr., Alvis K.*	**Member**	**R**	**TX**	**9/17/92**
MOBLEY COLLINS, Mary A.*	**Member**	**R**	**CA**	**9/17/91**
MULLER, Robert S.*	**Member**	**R**	**MI**	**9/17/91**

* denotes position(s) to be addressed.

BIOGRAPHICAL INFORMATION:

Members to be replaced:

PARRINO, Sandra S. (R-NY)
Education: AB-Briarcliff College. **Employment:** Chair, National Council on Disability, 1983-Present; Peer reviewer, U.S. Department of Education, Rehabilitation Services Administration, 1982; Founder and Director, Office for the Disabled, Towns of Ossining/Briarcliff Manor, New York, 1979-1982; Business Manager and Administrator, Dr. G. Richard Parrino Medical Offices, 1967-1982.

MOBLEY-COLLINS, Mary Ann (R-CA)
Education: University of Mississippi. **Employment:** Member, National Council on Disability, 1990-Present; Former Miss America; Actress and singer; Disabilities advocate, National March of Dimes Telethon and Mothers' March Against Birth Defects.

WALDREP, JR., Alvis Kent (R-TX)
Education: Attended Texas Christian University. **Employment:** Member, National Council on Disability, 1982-Present; Founder, President and CEO, Kent Waldrep National Paralysis Foundation, 1985-Present; President and CEO, American Paralysis Association, 1982-1985; Founder, President and CEO, Kent Waldrep International Spinal Cord Research Foundation, 1979-1981; Assistant Sports Information Director, Texas Christian University, 1977-1979.

<u>OBERLE, George Hurley (R-OK)</u>
Education: PED-Indiana University, 1969; MS-Butler University, 1956; AB-Earlham College, 1952. **Employment:** Member, National Council on Disability, 1990-Present; Professor and Director, School of Health, Physical Education and Leisure, Oklahoma State University, 1974-Present; Director of Unified Sports, Special Olympics, International, Kennedy Foundation, 1988-1989; Chair and Professor, Department of Health, Physical Education Recreation and Athletics, Chicago State University, 1971-1974; Assistant Dean, School of Health, Physical Education and Recreation, Indiana State University, 1962-1971; City Supervisor of Health and Physical Education, City Director of Athletics, Marion Public Schools, 1960-1962.

<u>MULLER, Robert S. (R-MI)</u>
There is no biographical information available on Mr. Muller other than that he is from Michigan and that he is an administrator of the Steelcase, Inc., as well as a university professor and chair of the National Roundtable on Corporate Development for Americans with Disabilities. He also is a member of the board of directors for the Hope Rehabilitation Network.

THE WHITE HOUSE

WASHINGTON

April 21, 1993

MEMORANDUM FOR THE PRESIDENT

THROUGH: BRUCE LINDSEY, Director of Presidential Personnel

FROM: JANET BLANCHARD, Associate Director
TOM SHEA, Deputy Associate Director

RE: **NATIONAL COUNCIL ON DISABILITY**

I. BACKGROUND

The Council is responsible for promoting the integration, independence, and productivity of individuals with disabilities in the community, schools, the workplace and all other aspects of American life. In the fulfillment of this mission, the Council evaluates the effectiveness of federal government programs and statutes concerning individuals with disabilities. The Council has an annual budget of approximately $1.5 million and a full-time staff of eight.

II. DISCUSSION

There are currently seven available positions on the Council. The President recently approved the nomination of the following six individuals: Marca Bristo (D-IL) as Chair; Bonnie O'Day (D-MA); Hughey Walker (D-SC); Michele Alioto (D-CA); John Gannon (D-OH); and, Lawrence Brown (I-MD). This memorandum addresses the remaining available position.

III. RECOMMENDATION

We recommend that you approve the nomination of the following individual:

KATE PEW WOLTERS, Democrat of Michigan, to be a member of the National Council on Disability, vice Alvis Waldrep, Jr. Ms. Wolters is the Executive Director of the Steelcase Foundation, Grand Rapids, MI, a corporate foundation which issues community grants. She also serves as Chair of the Michigan Developmental Disabilities Council. Ms. Wolters has been disabled since birth.
Sponsor(s): Jim Blanchard; Paul Miller, Disabilities Outreach.

Approve: ________________________ Disapprove: ________________________

MARCA BRISTO, Democrat of Illinois, to be a member of the National Council on Disabilities, vice Sandra Parrino. Ms. Bristo became disabled in a diving accident in 1979. She currently serves as the president and chief executive officer of Access Living, a non-residential independent living program for people with disabilities. Ms. Bristo helped to organize the disabilities community for Clinton/Gore '92.
Sponsor(s): Sen. Braun (D-IL); Sen. Harkin (D-IA); Sen. Simon (D-IL); Rep. Cardiss Collins (D-IL).

Approve: ______________________ Disapprove: ______________________

BONNIE O'DAY, Democrat of Massachusetts, to be a member of the National Council on Disabilities, vice George Oberle, Jr. Ms. O'Day, who is blind, currently serves as the Executive Director of the Boston Center for Independent Living, a non-profit organization providing services and advocacy for people with severe disabilities. She was a 1990 recipient of the Americans With Disabilities Act Award and helped to organize the disabilities community in Massachusetts for Clinton-Gore '92.

Approve: ______________________ Disapprove: ______________________

HUGHEY WALKER, Democrat of South Carolina, to be member of the National Council on Disabilities, vice Mary Mobley Collins. Mr. Walker has served as Chair of the Georgetown County (SC) Council since 1982. Prior to 1982, Mr. Walker was the Advocate Counselor for the South Carolina Protection and Advocacy System for the Handicapped. Mr. Walker lost the use of his legs as a result of a gun-shot wound he received while in combat in Vietnam.

Approve: ______________________ Disapprove: ______________________

MICHELE ALIOTO, Democrat of California, to be a member of the National Council on Disability, vice Robert Muller. Ms. Alioto is the wife of former San Francisco Mayor Joseph Alioto. She has been deaf in one ear since birth and, in 1981, her daughter suffered a paralyzing spinal cord injury while skiing. She has been active in raising public awareness with respect to the rights of the disabled and has raised over five million dollars for medical research. Additionally, Ms. Alioto is the founder of the American Paralysis Association and the National Research Institute for Neural Injury at the University of California. She is the Director, Producer, Writer and host of segments on INSIDE CITY LIMITS, a television program on the Viacom Cable Network.
Sponsor(s): Sen. Dianne Feinstein (D-CA); Sen. Tom Harkin (D-IA); Rep. Marks (D-CA); Rep. Nancy Pelosi (D-CA).

Approve: ______________________ Disapprove: ______________________

We recommend that you approve the nomination for reappointment of the following individuals:

JOHN ANTHONY GANNON, Democrat of Ohio, to be a member of the National Council on Disabilities. Mr. Gannon is currently the Acting Chair of the Council. He is the President emeritus of the International Association of Firefighters (IAFF) and the immediate past vice president of the AFL-CIO's Public Employees Department. He helped foster the development of the IAFF Burn Foundation to raise funds for research on the care of burn victims and recently represented the United States at an international conference on disabilities in Vienna.

Approve: ________________________ Disapprove: ________________________

LAWRENCE BROWN, JR., Independent of Maryland, to be a member of the National Council on Disabilities. Mr. Brown is an executive with the Xerox Corporation and a former running back with the Washington Redskins. He has demonstrated a longstanding commitment to helping those in the community, especially those with disabilities. Moreover, he has been a tireless and productive member of the Council.

Approve: ________________________ Disapprove: ________________________

We recommend that you approve the designation of the following individual:

MARCA BRISTO, Democrat of Illinois, to be **Chair** of the National Council on Disabilities, vice John Gannon.

Approve: ________________________ Disapprove: ________________________

IV. OTHERS CONSIDERED

Other candidates considered for appointment to the Council are set forth in the spreadsheet attached hereto.

NATIONAL COUNCIL ON DISABILITIES
BACKGROUND INFORMATION

METHOD OF APPOINTMENT: **PAS** - Members of the Council are appointed by the President with the advice and consent of the Senate.

SENATE COMMITTEE REFERRAL: Nominations to the Council will be referred to the Senate Committee on Labor and Human Resources.

AUTHORIZING STATUTE OR EXECUTIVE ORDER: 29 U.S.C. § 780.

CABINET DEPARTMENT AFFILIATION: Independent.

COMPOSITION: The Council is composed of fifteen (15) members, who shall be appointed so as to be representative of handicapped individuals, national organizations concerned with the handicapped, providers and administrators of services to the handicapped, individuals engaged in conducting medical or scientific research relating to handicapped individuals, business concerns, and labor organizations. **At least five (5) members of the Council shall be disabled individuals, or parents or guardians of disabled individuals.**

TERM LENGTHS: Members of the Council shall serve for terms of three (3) years. Members may be reappointed and may serve after the expiration of their terms until their successors have taken office.

COMPENSATION: Members of the Council shall be entitled to receive compensation at a rate equal to the rate of basic pay for grade GS-18, including travel time, for each day engaged in the performance of their duties. In addition, while away from their homes or regular places of business in the performance of services for the Council, members shall be allowed travel expenses, including per diem in lieu of subsistence. Members of the Council who are full-time officers or employees of the United States, shall receive no additional compensation on account of their services on the Council except for compensation for travel expenses.

METHOD OF CHAIR SELECTION: The President shall designate the Chair from among the members of the Council.

CURRENT MEMBERSHIP:

Name	Title	Party	State	Term
FLACK, Anthony H.	Member	R	CT	9/17/94
RAETHER, Mary M.	Member	R	VA	9/17/94
RYAN, Shirley W.	Member	R	IL	9/17/94
ALLISON, Linda W.	Member	R	TX	9/17/93
BODRON, Ellis B.	Member	D	MS	9/17/93
SEGGERMAN, Anne C.	Member	R	CT	9/17/93
UNHJEM, Michael B.	Member	R	ND	9/17/93
WALSH, Helen W.	Member	R	CT	9/17/93
PARRINO, Sandra S.*	**Member**	**R**	**NY**	**9/17/92**
BROWN, Jr., Lawrence*	**Member**	**I**	**MD**	**9/17/92**
GANNON, John A.*	**Acting Chair**	**D**	**OH**	**9/17/92**
OBERLE, Jr., George H.*	**Member**	**R**	**OK**	**9/17/92**
WALDREP, Jr., Alvis K.*	**Member**	**R**	**TX**	**9/17/92**
MOBLEY COLLINS, Mary A.*	**Member**	**R**	**CA**	**9/17/91**
MULLER, Robert S.*	**Member**	**R**	**MI**	**9/17/91**

* denotes position(s) to be addressed.

BIOGRAPHICAL INFORMATION:

Member to be replaced:

WALDREP, JR., Alvis Kent (R-TX)
Education: Attended Texas Christian University. **Employment:** Member, National Council on Disability, 1982-Present; Founder, President and CEO, Kent Waldrep National Paralysis Foundation, 1985-Present; President and CEO, American Paralysis Association, 1982-1985; Founder, President and CEO, Kent Waldrep International Spinal Cord Research Foundation, 1979-1981; Assistant Sports Information Director, Texas Christian University, 1977-1979.

FILE

THE WHITE HOUSE

WASHINGTON

MEMORANDUM TO THE PRESIDENT

FROM: BRUCE LINDSEY, Director of Presidential Personnel

DATE: February 4, 1993

RE: **NATIONAL COUNCIL ON DISABILITY**

I. PURPOSE

The Council is responsible for promoting policies, programs, practices and procedures that guarantee equal opportunity for all individuals with disabilities, regardless of the nature or severity of the disability, and, that empower individuals with disabilities to achieve economic self-sufficiency, independent living, inclusion and integration into all aspects of society.

II. DISCUSSION

There are currently six available positions on the Council. These positions, along with the designation of a permanent Chair, will be addressed in a separate decision memorandum later this week. This memorandum addresses the designation of one of the current members to serve as the Acting Chair.

The current Chair of the Council, Sandra Parrino, a Bush appointee, is planning to attend an upcoming international disability conference, in Austria, as a representative of the Clinton Administration. In order to prevent this, and to allow a member of our choosing to attend the conference, we must appoint an Acting Chair from among the current membership.

III. RECOMMENDATION

We recommend that you approve the appointment of the following individual:

JOHN A. GANNON, Democrat of Ohio, to be Acting Chair, National Council on Disability, pending the nomination and designation of a permanent Chair, vice, Sandra S. Parrino. Mr. Gannon is the President of John Gannon Associates Consulting and the President of the International Association of Firefighters. He also serves on the Executive Council of the AFL-CIO.
Sponsor(s): Disability Rights Education Defense Fund.

Approve: ____________________ Disapprove: ____________________

CURRENT MEMBERSHIP:

Name	Title	Party	State	Term
HAGER, Margaret C.	Member	R	VA	09/17/95
FLACK, Anthony H.	Member	R	CT	09/17/94
RAETHER, Mary M.	Member	R	VA	09/17/94
RYAN, Shirley W.	Member	R	IL	09/17/94
ALLISON, Linda W.	Member	R	TX	09/17/93
BODRON, Ellis B.	Member	D	MS	09/17/93
SEGGERMAN, Anne C.	Member	R	CT	09/17/93
UNHJEM, Michael B.	Member	R	ND	09/17/93
WALSH, Helen W.	Member	R	CT	09/17/93
PARRINO, Sandra S.*	**Chair**	**R**	**NY**	**09/17/92**
BROWN, Lawrence, Jr.	Member	I	MD	09/17/92
GANNON, John A.	Member	D	OH	09/17/92
WALDREP, Alvis K., Jr.	Member	R	TX	09/17/92
MOBLEY COLLINS, Mary Ann	Member	R	CA	09/17/91
MULLER, Robert S.	Member	R	MI	09/17/91

* denotes position(s) to be addressed.

BIOGRAPHICAL INFORMATION:

Current Member to be removed as Chair:

PARRINO, Sandra Swift (R-NY)
Education: AB-Briarcliff College. **Employment:** Member, George Bush for President Issues Committee, 1988; Chair, National Council on Disability, 1983-present; Peer Reviewer, U.S. Department of Education, 1982; Founder and Director, Office for the Disabled, Towns of Ossining/Briarcliff Manor, NY, 1979-1982; Business Manager and Administrator, Dr. G. Richard Parrino Medical Offices, NY and NJ, 1967-1982; Staff Director, Tom Carroll and Associates Public Relations Firm, NY, 1962-1965; Staff Director, New York State Republican Committee, NY, NY, 1958-1962; Training Officer, Italian Air Force Bases, Lago, Bracciano and Ciampino, Rome, Italy, 1956-1958. **Memberships:** Co-Chair, Federal Working Group on Prevention of Disabilities, Department of Health and Human Services; Member, Advisory Board, National Parent C.H.A.I.N. (Conditions for Handicapped Americans Information Network).

Current Member to be designated Acting Chair:

GANNON, John A. (D-OH)
Employment: President, John Gannon Associates, Consulting, 1988-present; President, International Association of Firefighters, 1980-present. **Memberships:** Executive Committee, AFL-CIO, 1987-present; Board of Directors, Joint Action Community Services, 1990-present. **Honors:** The John A. Gannon burn and Trauma Center, Cleveland, Ohio, is named after Mr. Gannon. **Sponsor(s):** Disability Rights Education Defense Fund.

NATIONAL COUNCIL ON DISABILITY - BACKGROUND INFORMATION

METHOD OF APPOINTMENT: PAS - The members of the Council are appointed by the President with the advice and consent of the United States Senate.

SENATE COMMITTEE REFERRAL: Nominations to the Commission will be referred to the Senate Committee on Labor and Human Resources.

AUTHORIZING STATUTE: 29 U.S.C. 780

CABINET DEPARTMENT AFFILIATION: Independent.

COMPOSITION: The Council is composed of 15 members, without regard to political affiliation, a majority of whom shall be individuals with handicaps or parents or guardians of individuals with handicaps, who are selected by the President after soliciting recommendations from representatives of organizations representing a broad range of individuals with disabilities, and, organizations interested in individuals with disabilities.

OTHER MEMBERSHIP REQUIREMENTS: The members shall be individuals with disabilities or individuals who have substantial knowledge or experience relating to disability policy or programs.

TERM LENGTHS: Members shall serve for terms of three (3) years and may continue to serve after the expiration of their terms until their successors have taken office. No member may serve more than two consecutive full terms.

COMPENSATION: Members are compensated at the rate of Executive Service Level IV for each day engaged in the performance of their duties for the Commission, including travel time. As of January 1992, Level IV was set at $112,100 (approximately $430 per day based upon 260 working days per year).

METHOD OF CHAIR SELECTION: Designated by the President.

STAFF SELECTION: The Council may appoint an Executive Director, from among individuals who are experienced in the planning or operation of programs for individuals with handicaps, to assist it in carrying out its duties, without regard to the provisions of Title 5. In addition, the Executive Director is authorized to hire seven (7) technical and professional employees.

Revised

June 9, 1994

Veronica,

This package of candidates is designed to bring a broad set of disabilities onto the Council and increase racial-ethnic diversity. In putting together this package, a great amount of assistance has been provided by Paul Miller. There has also been substantial input provided by the Chair, Marca Bristo.

By approving these five new members, the President would be sending a very strong and positive signal on fulfilling this Administration's commitment to bringing the disability community into the policy process and adding diversity to federal policy makers and advisors.

Gary (6-7846)

THE WHITE HOUSE

WASHINGTON

JUNE 9, 1994

MEMORANDUM FOR THE PRESIDENT

FROM: J. VERONICA BIGGINS, Director of Presidential Personnel

RE: **NATIONAL COUNCIL ON DISABILITY (PAS) .**

I. BACKGROUND

The Council is responsible for promoting the integration, independence, and productivity of individuals with disabilities in the community, schools, workplace and all other aspects of American life. In the fulfillment of this mission, the Council evaluates the effectiveness of federal government programs and statutes concerning individuals with disabilities. The Council has an annual budget of approximately $1.5 million and a full-time staff of eight.

II. DISCUSSION

The Council has a total of 15 members of which five appointments are available at this time. To date this Administration has acted on seven appointments, including appointing Marca Bristo as Chair. This memorandum addresses the five appointments which are available now. This package of potential appointees represents a wide range of disabilities and increases the Council's racial-ethnic diversity.

III. RECOMMENDATION

We recommend that you approve the nomination of the following individuals:

JOHN KEMP, Independent of the District of Columbia, to be a member of the National Council on Disability, vice Linda Allison. Mr. Kemp is the Executive Director of the United Cerebral Palsy Association and serves on the Dole Foundation for Employment of People with Disabilities. Previously, he was the General Counsel and Vice-President of the National Easter Seal Society. Mr. Kemp has a disability resulting from amputation.

Approve________ Disapprove________

AUDREY MCCRINON, African-American and Democrat of Illinois, to be a member of the National Council on Disability, vice Ellis Bodron. Ms. McCrinon is Director of the Illinois Department of Rehabilitation Services. Previously, she was the Deputy Commissioner on Disability with the Chicago Department on Aging and Disability. Ms. McCrinon has a hearing impairment.

Approve________ Disapprove________

DEBORAH ROBINSON, African-American and Democrat of Pennsylvania, to be a member of the National Council on Disability, vice Ann Seggerman. Ms. Robinson is employed at Philadelphia Coordinated Health Care. She was the first woman President of Speaking for Ourselves, a national organization of people with cognitive disabilities advocating on behalf of themselves. Ms. Robinson has a cognitive disability. This would be the first time that people with cognitive disabilities would have one of their own serving on the Council.

Approve________ Disapprove________

ELA YAZZIE-KING, Native-American and Democrat of Arizona, to be a member of the National Council on Disability, vice Michael Unhjem. Ms. Yazzie-King is a Regional Team Coordinator with the Indian Children's Program. Previously, she was the Executive Director of the Chinle Valley School for Exceptional Children and the Project Director of the Navajo Evaluation of Existing Disability Services. She serves on the Multi-Cultural Task Force of the Administration on Developmental Disabilities of the Department of Health and Human Services. Ms. Yazzie-King has a disability due to a spinal injury.

Approve________ Disapprove________

IRVING ZOLA, Democrat of Massachusetts, to be a member of the National Council on Disability, vice Helen Walsh. Dr. Zola is Mortimer Gryzmish Professor of Human Relations and Chair of the Sociology Department at Brandeis University. He serves as a Board Member of the Society for Disability Studies and a Board Member of the World Institute on Disability. He has also been very active with the Administration in its health care reform effort. Dr. Zola has a disability due to being post-polio.

Approve________ Disapprove________

UNITED
CEREBRAL
PALSY
ASSOCIATIONS
Advancing the independence of people with disabilities

JOHN D. KEMP

EXPERIENCE

United Cerebral Palsy Associations, Inc.
Washington, D.C.
Executive Director, 1990-Present

National Easter Seal Society
Chicago, Illinois
General Counsel & Vice President - Development, 1986-90
Director of Affiliate Relations & Resources, 1984-86
Director of Human Resources, 1982-84

John D. Kemp & Associates, Inc.
Leawood, Kansas
President, 1981-82

Kemp & Young, Inc.
Overland Park, Kansas
President, 1977-81

National Easter Seal Society
Chicago, Illinois
Consultant in Consumer Advocacy, 1976-77

U. S. Environmental Protection Agency
Kansas City, Missouri
Region VII Legal Department, 1974-7[illegible]

EDUCATION

J.D., Washburn University Law School
Topeka, Kansas, 1974

A.B., Georgetown University
Washington, D.C., 1971

BOARD MEMBERSHIPS

Board of Trustees
The Dole Foundation for Employment of People with Disabilities, Washington D.C., since 1993

Board of Directors
Independent Sector, Washington, D.C., since 1992
Presidential Search Committee, 1993

Board of Directors
National Rehabilitation Hospital, Washington, D.C., since 1992

Executive Committee
People-to-People Committee, Washington, D.C., since 1992

Board of Directors
Westbridge Condominium, Washington, D.C., 1992-1993

Jury
Henry B. Betts Award, Chicago, Illinois, since 1990
Chair, 1993

Executive Board
American Occupational Therapy Association, Rockville, Maryland, 1990-1992

Board of Directors
Rehabilitation Institute of Chicago, Chicago, Illinois, since 1985

Board of Directors
Access Living (Independent Living Center), Chicago, Illinois, 1982-1991;
Chairman, 1984-1986

Board of Trustees
Commission on Accreditation of Rehabilitation Facilities, Tucson, Arizona, 1978-83;
Chairman, 1980-82

Board of Directors
National Easter Seal Society, Chicago, Illinois, 1971-76

ADVISORY BOARD MEMBERSHIPS

State Rehabilitation Advisory Council
District of Columbia Department of Human Services, Washington, D.C., 1993

Key Philanthropic Organizations Committee, Task Force on Volunteerism
American Society of Association Executives, Washington, D.C., 1993

Advisory Board
Amputee Coalition of America, Rosemont, Illinois, since 1992

Consumer Advisory Panel
National Association of Medical Equipment Suppliers, Alexandria, Virginia, since 1991

Advisory Board
America's Disability Channel, San Antonio, Texas, since 1990

Chairman
AMTRAK Consumer Advisory Board, Washington, D.C., 1990-1992

National Advisory Board
Rehabilitation Engineering Center of Vermont, Burlington, Vermont, 1987-1991

Consumer Advisory Board
Rehabilitation Engineering Center, **Northwestern University Medical School**, Chicago, Illinois, 1987-1991

Panel of Experts
International Disability Exchange and Studies (IDEAS), World Institute on Disability, Berkeley, California, 1987-1989

Co-Chairman
Dole for President Disability Coalition, Washington, D.C., 1987-88

National Advisory Council
Rehabilitation Engineering Center on Technology Transfer, Electronic Industries Foundation, Washington, D.C., 1984-1989

Governing Council
Section on Rehabilitation Hospitals and Programs, American Hospital Association, Chicago, Illinois, 1984-86

ORGANIZATIONAL MEMBERSHIPS

- Independent Sector
- National Center for Non-Profi Boards
- American Society of Associati.n Executives
- National Rehabilitation Assoc ation
- The Association for the Severily Handicapped (TASH)
- American Bar Association
- League of Disabled Voters, Washington, D.C. (Founding Member)

NATIONAL RADIO AND TELEVISION APPEARANCES

1993 NBC's "Today" show (5th appearance): Segment on executives with disabilities, program covering the third anniversary of the Americans with Disabilities Act

USA Radio Network: intervie v on the Henry B. Betts Award

1992 ABC News "Business World". program on the employment provisions of the Americans with Disabilities Act and UCPA's employment "Access Survey"

USA Cable Network/U.S. Chamber of Commerce "First Business" program on employment provisions of the Americans with Disabilities Act and UCPA's employment "Access Survey"

ABC News "Business World": program on UCP Casual Day '92

"Hour of Power": With Dr. Robert Schuller, speaking on the Americans with Disabilities Act and personal experience with a disability.

WLS-TV (Channel 7, ABC), Chicago, Illinois: "Chicago Stories" and "Weekend" programs on traveling with a disability and the Americans with Disabilities Act.

NBC News (Los Angeles Bureau): Story on telethons and Star-athon '92.

ABC News "Business World": Program on implementation of public accommodations provisions of the Americans with Disabilities Act and UCPA's "Access Survey."

1991 Cable News Network, "Headline News": Story on UCP of South Florida's L.I.F.E. (Link Into Future Employment) supported employment training program

1987 NBC's "Today" show (4th appearance): Interview with Senator Robert Dole on the importance of acceptance for people with disabilities

"Ask Dr. Ruth" television show (2nd appearance): Continue discussions about sexuality of and public attitudes toward persons with disabilities

1986 ABC radio show, New York: Presentation on attitudes toward people with disabilities

"Ask Dr. Ruth" television show: Interview with Dr. Ruth Westheimer on sexuality and people with disabilities

1983 NBC's "Today" show (3rd appearance): Promote Easter Seals Disabled Americans Week

1972 NBC's "Today" show (2nd appearance): Promote Easter Seals national campaign

1960 NBC's "Today" show: Promote Easter Seals as National Poster Child

AUDREY L. McCRIMON

PROFESSIONAL EXPERIENCE

DIRECTOR
ILLINOIS DEPARTMENT OF REHABILITATION SERVICES - 3/91 TO PRESENT
100 West Randolph (Suite 8-100) - Chicago, Illinois 60601
312/814-2921 (Voice)
312/814-5000 (TDD/TT)
312/814-1599 (Fax)

623 East Adams - Springfield, Illinois 62701
217/782-1424 (Voice)
217/524-1668 (TDD/TT)
217/785-5753 (Fax)

As member of the Governor's Cabinet, administer activities of state agency that provides rehabilitation, advocacy, in-home services, education, benefit determinations, independent living services, and employment services for Illinois citizens with disabilities. Establish working relationships with various state and national organizations serving persons with disabilities. Oversee budget planning and proposed legislative activities. Administer budget of $200 million and a staff of 2,300.

ASSOCIATE DIRECTOR
ILLINOIS DEPARTMENT OF REHABILITATION SERVICES - 2/90 TO 3/91

Administered activities of the Chicago Office. Supervised statewide programs of Client Assistance, Disabled Individuals Assistance Line and Housing Clearinghouse. Primary liaison to Rehabilitation Services Advisory Council, and Statewide Consumer Advisory Council. Established effective working relationships with educational agencies, medical organizations, state, national, federal groups and interest related organizations. Reported to the director on advocacy issues, local and or national trends impacting people with disabilities. Represented department to consumers, service providers, professional and governmental bodies.

DEPUTY COMMISSIONER ON DISABILITY
CHICAGO DEPARTMENT ON AGING AND DISABILITY - 6/84 TO 2/90
510 North Peshtigo Court - Chicago, Illinois 60611

Administered the development, access and coordination of education, employment, health, recreation and other social service grants from public and private resources for critical services for the disabled community. Integrated public and private support systems to remove physical and attitudinal barriers that precludes access for persons with disabilities. Served as City consultant on disability issues, maintaining rapport with all City of Chicago departments, advisory councils, and public and private organizations. Prepared work programs and literature for special services, provided staff training and oversaw a multi-million dollar mixed source budget.

COORDINATOR, SPECIALIZED PROGRAMS FOR DISABLED ADULTS
CHICAGO CITY-WIDE COLLEGE - 10/77 TO 5/84
30 East Lake Street - Chicago, Illinois 60601

Administered three units; 1) Educational program for developmentally disabled adults, 2) vocational training program and 3) specialized programs for hearing impaired adults. Supervised professional staff, monitored program budgets, reviewed, evaluated and implemented curriculum and developed new programs. Edited monthly newsletter to consumers who are deaf or hard of hearing and interest related agencies.

COUNSELOR/JOB DEVELOPER
JEWISH VOCATIONAL SERVICES - 10/75 TO 9/77
One South Franklin - Chicago, Illinois 60605

Provided individual and group vocational counseling to a variety of disabled adults. Prepared initial interview, interim and final progress reports relative to placement and/or referral to training or augmentative services. Placed individuals in entry level positions in hospital and maintenance settings.

SKILLS/AREAS OF EXPERTISE

Policy Development, Fiscal Management, Program Development, Adult Instruction, Community Relations, Supportive Services, Personnel Training, Public Speaking and American Sign Language

PROFESSIONAL HONORS AND ACTIVITIES

1993	Fiesta Educativa Community Award
1993	Chicago Lighthouse for People Who Are Blind or Visually Impaired Community Service Award
1991	Outstanding Young Alumni of Northern Illinois University Award
1990	August W. Christmann Award
1990	United Way of Chicago Priority Grants Committee
1989	National Organization on Disability-Community Partners Award
1989	Donors Forum Task Force on Disability
1982	Superior Public Service Award - Outstanding Professional Employee

COMMUNITY HONORS AND ACTIVITIES

1990	Inducted to Renaissance Women
1989	Appreciation Award - Chicago Korean Lions Club
1989	Appreciation Award - Very Special Arts Advisory Board
1987	Appreciation Award - Paralyzed Veterans America (Vaughn)

ACADEMIC ACHIEVEMENTS

1993	Certificate of Completion Program for Senior Executives in State & Local Government John F. Kennedy School of Government Harvard University
1989	Graduate Executive Development Symposium City of Chicago
1975	Master's of Science in Education Northern Illinois University
1974	Bachelor's of Science in Education Northern Illinois University

CURRENT AND PAST AFFILIATIONS

Co-founder of Network of Illinois Voters with Disabilities
Member, Executive Committee for Council of State Agencies and Vocational Rehabilitation
Member, National Advisory Council for Research and Training Center for Northern Illinois University
Member, Advisory Council for Research and Training Center for University of Arkansas
Member, National Advisory Committee for Howard University
Member, Illinois Registry of Interpreters of the Deaf
Member, Illinois Association of the Deaf
Member, Coalition of Citizens with Disabilities

Deborah Robinson

Debbie is a graduate from Widener Memorial High School, 1983 in Philadelphia. Presently she is employed at Philadelphia Coordinated Health Care doint various office duties and usinging her excellent communications skills.

Debbie has been Chairperson and Master of Ceremonies of the 1988 Speaking For Ourselves Conference on "Moving Foward Together". She was also a presenter at the National Conference on Family and Community Living, in Portland, Oregon in September of 1989. In 1990 she was the Keynote Speaker at the National Leadership Conference, Canadian People First, in Minnipeg, Canada .

Debbie was the first women President of Speaking For Ourselves and oversees six chapters. She was chapter President for three years of the Philadelphia Chapter of Speaking For Ourselves. She was a guest at the White House Signing of the ADA Bill. Published "Advocacy in the Danger Zone" in IMPACT Magazine in 1990. In June of 1992, she received the Peter and Ellizabeth Green Wiley Leadership Award. This is only a brief accounting of some of Ms. Robinson's accomplishments.

Debbie Robinson Biography

1. Attended first Speaking For Ourselves meeting, 4th Annual Conference, Real Jobs in the Community, Adams Mark Hotel, May 17, 1986.

2. Joined Philadelphia Speaking For Ourselves chapter, September 1986.

3. Became second chapter President, first woman president, Philadelphia Chapter.

4. Hired as project consultant, Temple University, Supported Work Interview Project funded by the Developmental Disabilities Planning Council, August 1987.

5. Became first woman president of the Board of Directors, September 14, 1989.

6. Chairperson and Master of Ceremonies, Annual Speaking For Ourselves Conference, "Moving Forward Together," Twelve Caesars, June 25, 1988.

7. Presentor, National Conference on Family and Community Living, Portland, Oregon, September 1989.

8. Key speaker, National Leadership Conference, Canadian People First, Winnipeg, Canada, March 1990

9. Special Guest, White House Signing Ceremonies, American with Disabilities Act.

10. Special invited guest, National Self-Advocacy session, American Association Mental Retardation, Atlanta, Georgia, May 1990.

11. Testifed to State Legislative Committee investigating Philadelphia funding crisis, April, 1990.

12. Published "Advocacy in the Danger Zone," in Impact Magazine, University of Minnesota, Winter 1990.

13. Founder National Steering Commitee on Self-Advocacy, First National People First Conference, Denver, Colorado, July 1990.

14. WCAU-TV interview, Embreeville State Center, Investigation into death, July, 1991.

Ela M. Yazzie-King
P.O. Box 279
St. Michaels, Arizona 86511
(602) 871-4385

Professional Experiences

Administrative:

Title	Regional Team Coordinator
Project	Indian Children's Program
Duration	April 1991 to Present
	Executive Director
	Chinle Valley School for Exceptional Children, Inc.
	January 1988 to December 1990
	Project Director
	Navajo Evaluation of Existing Disability Services
	August 1986 to August 1987
	Project Director
	Navajo Undergraduate Rehabilitation Training Project
	June 1984 to August 1986
	Project Director
	Learn to Earn, Ltd.
	June 1983 to May 1984
	Project Director
	Indian Health Services Medical Management Project
	July 1981 to June 1982
	Project Director
	Spinal Cord Injury Follow-up Project
	August 1979 to May 1981

Legal Advocacy:

Title	Developmental Disabilities Advocate
Project	Dine' Association for Handicapped Citizens, Inc.
Duration	November 1982 to April 1983

Counselor:

Title	Rehabilitation Specialist/Counselor
Project	Spinal Injury Follow-up Project
Duration	September 1978 to August 1979
	Vocational Counselor
	St. Michaels Association for Special Education, Inc.
	January 1978 to September 1978

Academic Qualifications

Community College Certificated Arizona Teaching: "Introduction to Psychology" — December 1984

University of New Mexico, M.A. Rehabilitation Counseling — 1980-1981

Vocational Workshop: Rehabilitation Process — 1981

Workshop of Native Americans: Certificate, Section 504 — 1980

University of San Francisco Certificate Program Rehabilitation Administration — 1978-1980

Virginia Intermount College, B.A. Psychology/Sociology Bristol, Virginia — 1974-1977

St. Michael High School, St. Michaels, Arizona — 1969-1973

Advisory/Council Membership

Developmental Disabilities Advisory Council; Department of Economic Security/Division of D.D. Phoenix, Arizona — 1992-Present

Administration on Developmental Disabilities, Multi-Cultural Task Force, Washington, D.C. — 1992-Present

American Indians with Disabilities Public Awareness Campaign Advisory Council, Anchorage, Alaska — 1991 to 1993

Native American Research & Training Ctr., Advisory Council, Northern Arizona University, Flagstaff, Arizona — 1990-Present

Native American Research & Training Ctr., Advisory Board, University of Arizona, Tucson, Arizona — 1987 to 1993

Navajo Nation Advisory Council on the Handi-Capable, Chairperson, Window Rock, Arizona — 1979 to 1993

New Mexico Independent Living Advisory Council, Santa Fe, New Mexico — 1990-Present

Awards

"Outstanding Volunteer", Navajo Nation Council on the Handicapped, Navajo Nation Handicapped Awareness Week — 1986

"Citizen of the Year", Arizona Governor's Council on Disabilities, Phoenix, Arizona — 1985

Irving Kenneth Zola

(Harvard University Ph.D. 1962) is the Mortimer Gryzmish Professor of Human Relations at Brandeis University and currently the chair of its Sociology Department. Although Brandeis has been his primary home base, he has been a consultant in residence to both the World Health Organization and the Netherlands Institute of Preventive Medicine. He has been on the editorial boards of over 20 journals and a panelist/reviewer for the Departments of Education, Labor, HHS, NIH, NSF, and AAAS.

He is a founding member of Greenhouse a free-standing mental health clinic; of the Boston Self Help Center, an advocacy and counseling center for people with disabilities; of the Society for Disability Studies, an academic and professional society; and of Community Works, a Greater Boston progressive alternative to the United Way.

His awards include: 1983 Mary Switzer Scholar in Rehabilitation.
1986, "Apple Award" of the Massachusetts Sociological Association for "outstanding contributions to the teaching of Sociology."
1986, Certificate of Recognition for Sociological Practice, Sociological Practice Association.
1987, Fellow of the American Association for the Advancement of Science.
1989, N. Neal Pike Prize Award for Service to the Handicapped.
1989, American College of Rehabilitation Medicine Coulter Award Lecturer.
1990, Leo G. Reeder Award for Distinguished Service to Medical Sociology.
1991, John R. Hogness Lecturer on Health Care, University of Washington.
1992, Bernard Kutner Lecturer on Rehabilitation Counseling, Boston University.
1992, President-elect (for 1994) Eastern Sociological Society.

His publications, many reprinted in anthologies and in translation include: "Observation on Gambling in a Lower Class Setting," (Social Problems); "Culture and Symptoms," (American Sociological Review); "Pathways to the Doctor", (Social Science & Medicine); "Aging, Disability and the Home-Care Revolution" Archives of Physical Medicine & Rehabilitation"; "Medicine as an Institution of Social Control," (Sociological Review); "Any Distinguishing Features - The Portrayal of Disability in the Crime Mystery Genre" (Policy Studies Journal); "Toward the Necessary Universalizing of a Disability Policy" (Milbank Memorial Fund Quarterly), and most recently "Bringing Our Bodies and Ourselves Back In - Reflections on Past, Present and Future 'Medical Sociology'" (Journal of Health and Social Behavior). Any Distinguishing Features: Portrayal of Disability in the Crime/Mystery Genre (Interpreting Disability. His over a dozen books have involved a coauthorship with Ivan Illich, Disabling Professions; Ordinary Lives an edited anthology; Sociomedical Inquiries: Recollections, Reflections, and Reconsiderations; Missing Pieces, A Chronicle of Living with a Disability; a coediting with Nancy Crewe, Independent Living for Physically Disabled People; and a collaboration with William and Joan McCord Origins of Crime. Since 1981 he has been publisher editor and regular contributor of the Disability Studies Quarterly. In recent years he has taken to storytelling (both writing and performing) as a way of "spreading the word". A dozen stories have so far appeared and a collection is in the works.

Withdrawal/Redaction Marker
Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003a. memo	Paul Steven Miller to Bob Hattoy; RE: Key Candidates with Disabilities for Positions in the Environmental Protection Agency (1 page)	04/09/1993	b(6)

COLLECTION:

Clinton Presidential Records
Presidential Personnel
General Files
OA/Box Number: 7526

FOLDER TITLE:

National Council on Disability: Decision/Discussion Memos

2007-0143-F
db4528

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]

Withdrawal/Redaction Marker
Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003b. form	Presidential Transition Resume Routing Form; RE: Non-selection (1 page)	01/16/1993	b(6)

COLLECTION:

Clinton Presidential Records
Presidential Personnel
General Files
OA/Box Number: 7526

FOLDER TITLE:

National Council on Disability: Decision/Discussion Memos

2007-0143-F
db4528

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]

Withdrawal/Redaction Marker
Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003c. resume	RE: Non-selection (2 pages)	00/00/0000	b(6)

COLLECTION:

Clinton Presidential Records
Presidential Personnel
General Files
OA/Box Number: 7526

FOLDER TITLE:

National Council on Disability: Decision/Discussion Memos

2007-0143-F
db4528

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]

Withdrawal/Redaction Marker
Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003d. form	Presidential Transition Resume Routing Form; RE: Non-selection (1 page)	01/04/1993	b(6)

COLLECTION:

Clinton Presidential Records
Presidential Personnel
General Files
OA/Box Number: 7526

FOLDER TITLE:

National Council on Disability: Decision/Discussion Memos

2007-0143-F
db4528

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]

Withdrawal/Redaction Marker
Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003e. fax	To: Paul Miller; RE: Non-selection (6 pages)	12/30/1992	b(6)

COLLECTION:

Clinton Presidential Records
Presidential Personnel
General Files
OA/Box Number: 7526

FOLDER TITLE:

National Council on Disability: Decision/Discussion Memos

2007-0143-F
db4528

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]

Withdrawal/Redaction Marker
Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003f. letter	Tom Daschle to Governor Richard Riley; RE: Non-selection (1 page)	01/20/1993	b(6)

COLLECTION:

Clinton Presidential Records
Presidential Personnel
General Files
OA/Box Number: 7526

FOLDER TITLE:

National Council on Disability: Decision/Discussion Memos

2007-0143-F
db4528

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]

Withdrawal/Redaction Marker
Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003g. form	Presidential Transition Resume Routing Form; RE: Non-selection (1 page)	03/05/1993	b(6)

COLLECTION:

Clinton Presidential Records
Presidential Personnel
General Files
OA/Box Number: 7526

FOLDER TITLE:

National Council on Disability: Decision/Discussion Memos

2007-0143-F
db4528

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]

Withdrawal/Redaction Marker
Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003h. resume	RE: Non-selection (1 page)	00/00/0000	b(6)

COLLECTION:
Clinton Presidential Records
Presidential Personnel
General Files
OA/Box Number: 7526

FOLDER TITLE:
National Council on Disability: Decision/Discussion Memos

2007-0143-F
db4528

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]

Withdrawal/Redaction Marker
Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003i. letter	To: Jan Piercy; RE: Non-selection (2 pages)	12/29/1992	b(6)

COLLECTION:

Clinton Presidential Records
Presidential Personnel
General Files
OA/Box Number: 7526

FOLDER TITLE:

National Council on Disability: Decision/Discussion Memos

2007-0143-F
db4528

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]

disability file

WHITE HOUSE OFFICE OF PRESIDENTIAL PERSONNEL

M E M O R A N D U M

TO: Morning Staff Meeting Attendees

FROM: Paul Steven Miller

DATE: May 5, 1993

SUBJECT: Article About Hiring Lawyers with Disabilities

Recently, someone sent me a short article regarding attitudinal barriers to hiring persons with disabilities. The article focuses on lawyers with disabilities, but the information is equally applicable to other professionals with disabilities. I thought the article was informative enough to share with the group. In any event, at least it is not a resume or spreadsheet to read.

Attitudinal Barriers to Hiring Attorneys with Disabilities[1]

by Michael Ashley Stein*

When Merilyn Rosenthal and Paul Miller graduated from Harvard Law School, each sent out resumes in search of legal employment. Ms. Rosenthal, who is blind, reported that after five years and 1,500 resumes, she finally landed a job as a deputy assistant counsel to then New Jersey Governor Thomas Kean.[2] Mr. Miller, a dwarf who had made several hundred job inquiries, was told by one Philadelphia law firm that "they didn't want clients to think they were running a side-show freak act."[3] After heading the legal affairs committee of Little People of America,[4] Mr. Miller now is on the staff of the White House Office of Presidential Personnel.

Unfortunately, the indignities endured by Ms. Rosenthal and Mr. Miller are not uncommon. In fact, the sad truth is that their stories are probably known only because they are among the few that have been reported.

Among all minority groups, attorneys with disabilities may be subject to the worst examples of discrimination in law firm hiring. For example, a 1992 study of minorities in the legal profession conducted by *The National Law Journal* reported that 11% of all partners at major law firms were women, and that blacks and hispanics each constitute 1% of the total number of partners.[5] By contrast, the most recent statistics available from the Harvard Law School Placement Office indicate that of the 4,300 partners registered in New York law firms, only four, or *less than 1/100th* of one percent, identify themselves as being "disabled." The prospects for increasing the number of law firm partners with disabilities are similarly dim, as in all of New York City, there are only six associates who currently identify themselves as being "disabled."

Perhaps still more telling about the paucity of attorneys with disabilities at large law firms, is the fact that *The National Law Journal* does not even include people with disabilities among the minority groups in its surveys. Attorneys with disabilities were similarly disregarded by the extensive report compiled by the American Bar Association's Commission on Opportunities for Minorities in the Profession.

Given the lack of attention – let alone empirical research – that has been devoted to the exclusion of attorneys with disabilities from law firm practice, it is difficult to hypothesize an accurate reason for their dramatic underrepresentation, beyond surmising from anecdotal stories that the cause may originate in general misconceptions about people with disabilities.

Along these lines, there seems to be a perception among many law firm hiring partners that due to their physical differences, attorneys with disabilities are not as capable as able bodied lawyers to withstand the rigors and stresses of the profession. For example, Kenneth Anderson, hiring partner at the 600 lawyer firm Gibson, Dunne & Crutcher in Los Angeles, was reported as saying that he feared hiring lawyers with disabilities because they might not be able to work long hours.[6] Similarly, Cravath, Swaine & Moore's hiring partner, Evan Chesler, averred that the firm would not want to "put people into situations they can't handle."[7] Certainly, this type of bias was held by the attorney who interviewed Stephen Gibbs, a man with quadriplegia who now has his own solo practice. Near the end of their discussion, the interviewing attorney asked Gibbs how the firm could be sure that "two weeks after hiring, Gibbs wouldn't be hospitalized with a urinary tract infection."[8]

One former dean of law student placement has suggested that in the end, the firms' reluctance to hire attorneys with disabilities may "result primarily from fear."[9] This sentiment was echoed by Deborah van der Weijde, a Justice Department lawyer and former chair of the ABA's Young Lawyers Division Disabled Lawyers Committee. She suggested that the "widespread problem" of unemployed lawyers with disabilities was due to potential employers who "are afraid of people who are different . . . afraid they will turn off clients."[10]

On July 26, 1990, the Americans with Disabilities Act of 1990 (ADA) was signed into law, barring disability-based discrimination in employment, public accommodations, public service, transportation, and telecommunications.[11] Specifically, the law bars covered employers from discriminating against "qualified individuals with a disability."[12] Qualified individuals are defined as individuals with disabilities who can perform a job's "essential functions," either on their own or with an employer-provided "reasonable accommodation."[13]

The ADA would seem to obviate one reason advanced by law firms for not hiring attorneys with disabilities, since it effectively eradicates structural barriers in the work place. But what of the other, deeper, reason why employers do not hire more associates with disabilities: attitudinal barriers? Will these obstructions to diversity fall as well?

* *President, The National Disabled Bar Association*

Although there are no exact figures regarding the number and employment of attorneys with disabilities who are admitted to practice, the president of the National Association of Blind Lawyers reported that at least one-third of the nation's 500 to 600 blind lawyers are unemployed.[14] There is no reason to suspect that the percentages are any better for attorneys with mobility or hearing impairments.

It is imperative that law firms, as the most visible, prestigious and highest paying employer in the legal profession, work towards eradicating this historical imbalance. As employers, attorneys are more knowledgeable than other groups regarding prohibitions against discrimination in hiring decisions. And yet, disability discrimination in law firms seems to continue unabated. When a law periodical surveyed several law firms on the ADA, partners reportedly discussed at length the effect the law would have on clients' physical facilities, but did not consider how law firms would be subject to compliance as present or potential employers. The lone exception was Pettit & Martin partner John C. Fox, who admitted that "[l]aw firms largely are unaware of the ADA applications to them."[15]

This indifference is particularly egregious coming from a major segment of the legal profession. As Allegheny County Common Pleas Judge Leonard C. Staisey has pointed out, "the thing that distinguishes the legal profession from others is a reasoning process. What that has to do with walking, seeing, hearing, I don't know."[16] The ultimate question for law firms was posed by Laura Cooper, a former chair of the ABA's Young Lawyers Division Disabled Lawyers Committee: "Lawyers more than anyone are supposed to be advocates for the unheard. If they don't do better, who will?"[17]

Endnotes

1. This essay expands upon comments made at the Third Annual Minority Recruitment and Retention Conference on *The New Paradigm: Professionalism, Leadership and Valuing Diversity*, held Nov. 20-21, 1992 at Harvard Law School. I wish to acknowledge the research assistance of Ms. Stephanie Heacox.

2. *See* Rosenblum, "Handicapped Lawyers: A Battle at Every Turn; Elusive Jobs, Access, Can Make Tough Adversaries," *N.J.L.J.* , Aug. 2, 1990, at 1.

3. Wiehl, "Disabled Lawyers Join in Drive on Bias in Hiring," *New York Times* , Dec. 30, 1988, at B6.

4. *Id.*

5. *See* MacLachlan & Jensen, "Progress Glacial for Women, Minorities," *The Nat'l L.J.* , Jan. 27, 1992, at 1, 31.

6. *See* Wiehl, *supra* note 3.

7. *Id.*

8. Moss, "Obstruction of Justice: Disabled Law Students Face Many Barriers to the Bar," *The Student Lawyer* , Feb. 1991, at 42.

9. Voorhees, "Handicapped Lawyers and the Private Sector," *A.B.A. J.* , Dec. 1982, 1594, 1596.

10. Marcotte, "Blind Justice Denied?", *A.B.A. J.* , March 1, 1988, at 38.

11. *See* 42 U.S.C. §12101 et seq.

12. *Id.*

13. *Id.*

14. *See* Moss, *supra* note 8, at 40.

15. Samborn, "Disabilities Act: Firms Not Ready," *The Nat'l L.J.* , Jan. 27, 1992, at 40.

16. *Id.*

17. Wiehl, *supra* note 3.

WHITE HOUSE OFFICE OF PRESIDENTIAL PERSONNEL

M E M O R A N D U M

TO: Morning Staff Meeting Attendees

FROM: Paul Steven Miller

DATE: May 5, 1993

SUBJECT: Article About Hiring Lawyers with Disabilities

Recently, someone sent me a short article regarding attitudinal barriers to hiring persons with disabilities. The article focuses on lawyers with disabilities, but the information is equally applicable to other professionals with disabilities. I thought the article was informative enough to share with the group. In any event, at least it is not a resume or spreadsheet to read.

Attitudinal Barriers to Hiring Attorneys with Disabilities[1]

by Michael Ashley Stein*

When Merilyn Rosenthal and Paul Miller graduated from Harvard Law School, each sent out resumes in search of legal employment. Ms. Rosenthal, who is blind, reported that after five years and 1,500 resumes, she finally landed a job as a deputy assistant counsel to then New Jersey Governor Thomas Kean.[2] Mr. Miller, a dwarf who had made several hundred job inquiries, was told by one Philadelphia law firm that "they didn't want clients to think they were running a side-show freak act."[3] After heading the legal affairs committee of Little People of America,[4] Mr. Miller now is on the staff of the White House Office of Presidential Personnel.

Unfortunately, the indignities endured by Ms. Rosenthal and Mr. Miller are not uncommon. In fact, the sad truth is that their stories are probably known only because they are among the few that have been reported.

Among all minority groups, attorneys with disabilities may be subject to the worst examples of discrimination in law firm hiring. For example, a 1992 study of minorities in the legal profession conducted by *The National Law Journal* reported that 11% of all partners at major law firms were women, and that blacks and hispanics each constitute 1% of the total number of partners.[5] By contrast, the most recent statistics available from the Harvard Law School Placement Office indicate that of the 4,300 partners registered in New York law firms, only four, or *less than 1/100th* of one percent, identify themselves as being "disabled." The prospects for increasing the number of law firm partners with disabilities are similarly dim, as in all of New York City, there are only six associates who currently identify themselves as being "disabled."

Perhaps still more telling about the paucity of attorneys with disabilities at large law firms, is the fact that *The National Law Journal* does not even include people with disabilities among the minority groups in its surveys. Attorneys with disabilities were similarly disregarded by the extensive report compiled by the American Bar Association's Commission on Opportunities for Minorities in the Profession.

Given the lack of attention – let alone empirical research – that has been devoted to the exclusion of attorneys with disabilities from law firm practice, it is difficult to hypothesize an accurate reason for their dramatic underrepresentation, beyond surmising from anecdotal stories that the cause may originate in general misconceptions about people with disabilities.

Along these lines, there seems to be a perception among many law firm hiring partners that due to their physical differences, attorneys with disabilities are not as capable as able bodied lawyers to withstand the rigors and stresses of the profession. For example, Kenneth Anderson, hiring partner at the 600 lawyer firm Gibson, Dunne & Crutcher in Los Angeles, was reported as saying that he feared hiring lawyers with disabilities because they might not be able to work long hours.[6] Similarly, Cravath, Swaine & Moore's hiring partner, Evan Chesler, averred that the firm would not want to "put people into situations they can't handle."[7] Certainly, this type of bias was held by the attorney who interviewed Stephen Gibbs, a man with quadriplegia who now has his own solo practice. Near the end of their discussion, the interviewing attorney asked Gibbs how the firm could be sure that "two weeks after hiring, Gibbs wouldn't be hospitalized with a urinary tract infection."[8]

One former dean of law student placement has suggested that in the end, the firms' reluctance to hire attorneys with disabilities may "result primarily from fear."[9] This sentiment was echoed by Deborah van der Weijde, a Justice Department lawyer and former chair of the ABA's Young Lawyers Division Disabled Lawyers Committee. She suggested that the "widespread problem" of unemployed lawyers with disabilities was due to potential employers who "are afraid of people who are different . . . afraid they will turn off clients."[10]

On July 26, 1990, the Americans with Disabilities Act of 1990 (ADA) was signed into law, barring disability-based discrimination in employment, public accommodations, public service, transportation, and telecommunications.[11] Specifically, the law bars covered employers from discriminating against "qualified individuals with a disability."[12] Qualified individuals are defined as individuals with disabilities who can perform a job's "essential functions," either on their own or with an employer-provided "reasonable accommodation."[13]

The ADA would seem to obviate one reason advanced by law firms for not hiring attorneys with disabilities, since it effectively eradicates structural barriers in the work place. But what of the other, deeper, reason why employers do not hire more associates with disabilities: attitudinal barriers? Will these obstructions to diversity fall as well?

* *President, The National Disabled Bar Association*

Although there are no exact figures regarding the number and employment of attorneys with disabilities who are admitted to practice, the president of the National Association of Blind Lawyers reported that at least one-third of the nation's 500 to 600 blind lawyers are unemployed.[14] There is no reason to suspect that the percentages are any better for attorneys with mobility or hearing impairments.

It is imperative that law firms, as the most visible, prestigious and highest paying employer in the legal profession, work towards eradicating this historical imbalance. As employers, attorneys are more knowledgeable than other groups regarding prohibitions against discrimination in hiring decisions. And yet, disability discrimination in law firms seems to continue unabated. When a law periodical surveyed several law firms on the ADA, partners reportedly discussed at length the effect the law would have on clients' physical facilities, but did not consider how law firms would be subject to compliance as present or potential employers. The lone exception was Pettit & Martin partner John C. Fox, who admitted that "[l]aw firms largely are unaware of the ADA applications to them."[15]

This indifference is particularly egregious coming from a major segment of the legal profession. As Allegheny County Common Pleas Judge Leonard C. Staisey has pointed out, "the thing that distinguishes the legal profession from others is a reasoning process. What that has to do with walking, seeing, hearing, I don't know."[16] The ultimate question for law firms was posed by Laura Cooper, a former chair of the ABA's Young Lawyers Division Disabled Lawyers Committee: "Lawyers more than anyone are supposed to be advocates for the unheard. If they don't do better, who will?"[17]

Endnotes

1. This essay expands upon comments made at the Third Annual Minority Recruitment and Retention Conference on *The New Paradigm: Professionalism, Leadership and Valuing Diversity*, held Nov. 20-21, 1992 at Harvard Law School. I wish to acknowledge the research assistance of Ms. Stephanie Heacox.

2. *See* Rosenblum, "Handicapped Lawyers: A Battle at Every Turn; Elusive Jobs, Access, Can Make Tough Adversaries," *N.J.L.J.* , Aug. 2, 1990, at 1.

3. Wiehl, "Disabled Lawyers Join in Drive on Bias in Hiring," *New York Times* , Dec. 30, 1988, at B6.

4. *Id.*

5. *See* MacLachlan & Jensen, "Progress Glacial for Women, Minorities," *The Nat'l L.J.* , Jan. 27, 1992, at 1, 31.

6. *See* Wiehl, *supra* note 3.

7. *Id.*

8. Moss, "Obstruction of Justice: Disabled Law Students Face Many Barriers to the Bar," *The Student Lawyer* , Feb. 1991, at 42.

9. Voorhees, "Handicapped Lawyers and the Private Sector," *A.B.A. J.* , Dec. 1982, 1594, 1596.

10. Marcotte, "Blind Justice Denied?", *A.B.A. J.* , March 1, 1988, at 38.

11. *See* 42 U.S.C. §12101 et seq.

12. *Id.*

13. *Id.*

14. *See* Moss, *supra* note 8, at 40.

15. Samborn, "Disabilities Act: Firms Not Ready," *The Nat'l L.J.* , Jan. 27, 1992, at 40.

16. *Id.*

17. Wiehl, *supra* note 3.

WHITE HOUSE OFFICE OF PRESIDENTIAL PERSONNEL

MEMORANDUM

TO: Morning Staff Meeting Attendees

FROM: Paul Steven Miller

DATE: May 5, 1993

SUBJECT: Article About Hiring Lawyers with Disabilities

Recently, someone sent me a short article regarding attitudinal barriers to hiring persons with disabilities. The article focuses on lawyers with disabilities, but the information is equally applicable to other professionals with disabilities. I thought the article was informative enough to share with the group. In any event, at least it is not a resume or spreadsheet to read.

Attitudinal Barriers to Hiring Attorneys with Disabilities[1]

by Michael Ashley Stein*

When Merilyn Rosenthal and Paul Miller graduated from Harvard Law School, each sent out resumes in search of legal employment. Ms. Rosenthal, who is blind, reported that after five years and 1,500 resumes, she finally landed a job as a deputy assistant counsel to then New Jersey Governor Thomas Kean.[2] Mr. Miller, a dwarf who had made several hundred job inquiries, was told by one Philadelphia law firm that "they didn't want clients to think they were running a side-show freak act."[3] After heading the legal affairs committee of Little People of America,[4] Mr. Miller now is on the staff of the White House Office of Presidential Personnel.

Unfortunately, the indignities endured by Ms. Rosenthal and Mr. Miller are not uncommon. In fact, the sad truth is that their stories are probably known only because they are among the few that have been reported.

Among all minority groups, attorneys with disabilities may be subject to the worst examples of discrimination in law firm hiring. For example, a 1992 study of minorities in the legal profession conducted by *The National Law Journal* reported that 11% of all partners at major law firms were women, and that blacks and hispanics each constitute 1% of the total number of partners.[5] By contrast, the most recent statistics available from the Harvard Law School Placement Office indicate that of the 4,300 partners registered in New York law firms, only four, or *less than 1/100th* of one percent, identify themselves as being "disabled." The prospects for increasing the number of law firm partners with disabilities are similarly dim, as in all of New York City, there are only six associates who currently identify themselves as being "disabled."

Perhaps still more telling about the paucity of attorneys with disabilities at large law firms, is the fact that *The National Law Journal* does not even include people with disabilities among the minority groups in its surveys. Attorneys with disabilities were similarly disregarded by the extensive report compiled by the American Bar Association's Commission on Opportunities for Minorities in the Profession.

Given the lack of attention – let alone empirical research – that has been devoted to the exclusion of attorneys with disabilities from law firm practice, it is difficult to hypothesize an accurate reason for their dramatic underrepresentation, beyond surmising from anecdotal stories that the cause may originate in general misconceptions about people with disabilities.

Along these lines, there seems to be a perception among many law firm hiring partners that due to their physical differences, attorneys with disabilities are not as capable as able bodied lawyers to withstand the rigors and stresses of the profession. For example, Kenneth Anderson, hiring partner at the 600 lawyer firm Gibson, Dunne & Crutcher in Los Angeles, was reported as saying that he feared hiring lawyers with disabilities because they might not be able to work long hours.[6] Similarly, Cravath, Swaine & Moore's hiring partner, Evan Chesler, averred that the firm would not want to "put people into situations they can't handle."[7] Certainly, this type of bias was held by the attorney who interviewed Stephen Gibbs, a man with quadriplegia who now has his own solo practice. Near the end of their discussion, the interviewing attorney asked Gibbs how the firm could be sure that "two weeks after hiring, Gibbs wouldn't be hospitalized with a urinary tract infection."[8]

One former dean of law student placement has suggested that in the end, the firms' reluctance to hire attorneys with disabilities may "result primarily from fear."[9] This sentiment was echoed by Deborah van der Weijde, a Justice Department lawyer and former chair of the ABA's Young Lawyers Division Disabled Lawyers Committee. She suggested that the "widespread problem" of unemployed lawyers with disabilities was due to potential employers who "are afraid of people who are different . . . afraid they will turn off clients."[10]

On July 26, 1990, the Americans with Disabilities Act of 1990 (ADA) was signed into law, barring disability-based discrimination in employment, public accommodations, public service, transportation, and telecommunications.[11] Specifically, the law bars covered employers from discriminating against "qualified individuals with a disability."[12] Qualified individuals are defined as individuals with disabilities who can perform a job's "essential functions," either on their own or with an employer-provided "reasonable accommodation."[13]

The ADA would seem to obviate one reason advanced by law firms for not hiring attorneys with disabilities, since it effectively eradicates structural barriers in the work place. But what of the other, deeper, reason why employers do not hire more associates with disabilities: attitudinal barriers? Will these obstructions to diversity fall as well?

* *President, The National Disabled Bar Association*

Although there are no exact figures regarding the number and employment of attorneys with disabilities who are admitted to practice, the president of the National Association of Blind Lawyers reported that at least one-third of the nation's 500 to 600 blind lawyers are unemployed.[14] There is no reason to suspect that the percentages are any better for attorneys with mobility or hearing impairments.

It is imperative that law firms, as the most visible, prestigious and highest paying employer in the legal profession, work towards eradicating this historical imbalance. As employers, attorneys are more knowledgeable than other groups regarding prohibitions against discrimination in hiring decisions. And yet, disability discrimination in law firms seems to continue unabated. When a law periodical surveyed several law firms on the ADA, partners reportedly discussed at length the effect the law would have on clients' physical facilities, but did not consider how law firms would be subject to compliance as present or potential employers. The lone exception was Pettit & Martin partner John C. Fox, who admitted that "[l]aw firms largely are unaware of the ADA applications to them."[15]

This indifference is particularly egregious coming from a major segment of the legal profession. As Allegheny County Common Pleas Judge Leonard C. Staisey has pointed out, "the thing that distinguishes the legal profession from others is a reasoning process. What that has to do with walking, seeing, hearing, I don't know."[16] The ultimate question for law firms was posed by Laura Cooper, a former chair of the ABA's Young Lawyers Division Disabled Lawyers Committee: "Lawyers more than anyone are supposed to be advocates for the unheard. If they don't do better, who will?"[17]

Endnotes

1. This essay expands upon comments made at the Third Annual Minority Recruitment and Retention Conference on *The New Paradigm: Professionalism, Leadership and Valuing Diversity*, held Nov. 20-21, 1992 at Harvard Law School. I wish to acknowledge the research assistance of Ms. Stephanie Heacox.

2. *See* Rosenblum, "Handicapped Lawyers: A Battle at Every Turn; Elusive Jobs, Access, Can Make Tough Adversaries," *N.J.L.J.* , Aug. 2, 1990, at 1.

3. Wiehl, "Disabled Lawyers Join in Drive on Bias in Hiring," *New York Times* , Dec. 30, 1988, at B6.

4. *Id.*

5. *See* MacLachlan & Jensen, "Progress Glacial for Women, Minorities," *The Nat'l L.J.* , Jan. 27, 1992, at 1, 31.

6. *See* Wiehl, *supra* note 3.

7. *Id.*

8. Moss, "Obstruction of Justice: Disabled Law Students Face Many Barriers to the Bar," *The Student Lawyer* , Feb. 1991, at 42.

9. Voorhees, "Handicapped Lawyers and the Private Sector," *A.B.A. J.* , Dec. 1982, 1594, 1596.

10. Marcotte, "Blind Justice Denied?", *A.B.A. J.* , March 1, 1988, at 38.

11. *See* 42 U.S.C. §12101 et seq.

12. *Id.*

13. *Id.*

14. *See* Moss, *supra* note 8, at 40.

15. Samborn, "Disabilities Act: Firms Not Ready," *The Nat'l L.J.* , Jan. 27, 1992, at 40.

16. *Id.*

17. Wiehl, *supra* note 3.

disability file

WHITE HOUSE OFFICE OF PRESIDENTIAL PERSONNEL

M E M O R A N D U M

TO: Janet Blanchard
Tom Shea

FROM: Paul Steven Miller

DATE: April 13, 1993

SUBJECT: Disabled Candidate for the PRESIDENT'S COMMISSION ON WHITE HOUSE FELLOWSHIPS

Attached is a brief paragraph about a key, candidate with a disability for the PRESIDENT'S COMMISSION ON WHITE HOUSE FELLOWSHIPS. I have attached a copy of his resume for your information. Please do not hesitate to contact me with questions or comments.

- MAX STARKLOFF (MO)

  Nationally recognized disabled leader and professional. While living in a nursing home as a disabled, young man, Starkloff founded a non-profit independent living center for people with disabilities in St. Louis called Paraquad. He has received honorary doctorates from Webster University and the University of Missouri. Former Marine and life-long resident of St. Louis. Close friend of Gephardt.

cc: Michael Whouley

JAN - I know there has been some juggling by the White House on the composition of this & other boards - I spoke to Janet & Tom - but I want you to be aware of these diverse candidates also -

Paul

Withdrawal/Redaction Marker
Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
004. memo	Paul Steven Miller to Janet Blanchard; RE: Disabled Candidates for the Commission on Presidential Scholars [partial] (1 page)	04/07/1993	b(6)

COLLECTION:
Clinton Presidential Records
Presidential Personnel
General Files
OA/Box Number: 7526

FOLDER TITLE:
National Council on Disability: Decision/Discussion Memos

2007-0143-F
db4528

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]

WHITE HOUSE OFFICE OF PRESIDENTIAL PERSONNEL

M E M O R A N D U M

TO: Janet Blanchard
Tom Shea

FROM: Paul Steven Miller

DATE: April 7, 1993

SUBJECT: Disabled Candidates for the Commission on Presidential Scholars

---

Attached are brief paragraphs about two key, candidates with disabilities for the Commission on Presidential Scholars. I have attached copies of their resumes for your information. Please do not hesitate to contact me with questions or comments.

[004]

(b)(6)

- NANCY VERDERBER (MO)

  Disabled woman school professional who has developed and consulted on school programs for the inclusion of school-aged children with disabilities. Currently, Ms. Verderber is the Administrative Liaison for Disability Related Issues, St. Louis County School Districts.

This person went in to Bruce but I heard the entire list was sent back

WHITE HOUSE OFFICE OF PRESIDENTIAL PERSONNEL

M E M O R A N D U M

TO: Janet Blanchard
Tom Shea

FROM: Paul Steven Miller

DATE: April 7, 1993

SUBJECT: Disabled Candidate for the BARRY GOLDWATER SCHOLARSHIP AND EXCELLENCE IN EDUCATION FOUNDATION

Attached is a brief paragraph about a key, candidate with a disability for the BARRY GOLDWATER SCHOLARSHIP AND EXCELLENCE IN EDUCATION FOUNDATION. I have attached a copy of his resume for your information. Please do not hesitate to contact me with questions or comments.

- PAUL LONGMORE (CA)

  Disabled history professor who is the leading scholar in the country on disabled persons' history and media portrayals of persons with disabilities. Formerly a Mellon Fellow at Stanford University. Well-respected George Washington biographer. Frequent spokesperson on disability issues in the media (i.e., Nightline, NPR, etc.) Very high profile candidate in the disability community and active with Californians with Disabilities for Clinton/Gore.

  - ALSO POSSIBLE CANDIDATE FOR CHRISTOPHER COLUMBUS FELLOWSHIP FOUNDATION

cc: Michael Whouley

WHITE HOUSE OFFICE OF PRESIDENTIAL PERSONNEL

M E M O R A N D U M

TO: Janet Blanchard
Tom Shea

FROM: Paul Steven Miller

DATE: April 7, 1993

SUBJECT: Disabled Candidate for the CHRISTOPHER COLUMBUS FELLOWSHIP FOUNDATION

Attached is a brief paragraph about a key, candidates with disabilities for the Christopher Columbus Fellowship Foundation. I have attached copies of their resumes for your information. Please do not hesitate to contact me with questions or comments.

- RALF HOTCHKISS (CA)

  Disabled engineer who is a recipient of a MacArthur Fellowship (the "Genius Award"). Involved in designing and building practical and affordable wheelchairs for Third World countries. A great addition to the Columbus Foundation which supports "new discoveries in all fields to benefit mankind."

- PAUL LONGMORE (CA)

  Disabled history professor who is the leading scholar in the country on disabled persons' history and media portrayals of persons with disabilities. Formerly a Mellon Fellow at Stanford University. Well-respected George Washington biographer. Frequent spokesperson on disability issues in the media (i.e., Nightline, NPR, etc.) Very high profile candidate in the disability community and active with Californians with Disabilities for Clinton/Gore.

  - ALSO POSSIBLE CANDIDATE FOR

cc: Michael Whouley

This person met with Janet —
very impressive candidate

WHITE HOUSE OFFICE OF PRESIDENTIAL PERSONNEL

M E M O R A N D U M

TO: Janet Blanchard
Tom Shea

FROM: Paul Steven Miller

DATE: April 7, 1993

SUBJECT: IRA SCHOENHOLTZ -- Disabled Candidate for the WHITE HOUSE CONFERENCE ON SMALL BUSINESS COMMISSION

Attached is a brief paragraph about a key, candidate with a disability for the WHITE HOUSE CONFERENCE ON SMALL BUSINESS COMMISSION. I have attached a copy of his resume for your information. Please do not hesitate to contact me with questions or comments. Ira Schoenholtz was very active and helpful during the campaign. I would very much like to find him an advisory role in this administration.

- IRA SCHOENHOLTZ (CA)

  Disabled small business person, owner of Schoenholtz & Co., a small business involved in the securities market. Founder and president of the American Association of Business Persons with Disabilities.

cc: Michael Whouley

4/20 - Erskine said looks great - doesn't seem to be a problem.

WHITE HOUSE OFFICE OF PRESIDENTIAL PERSONNEL

M E M O R A N D U M

TO: Janet Blanchard
Tom Shea

FROM: Paul Steven Miller

DATE: April 15, 1993

SUBJECT: Disabled Candidate for the OVERSEAS PRIVATE INVESTMENT CORPORATION

Attached is a brief paragraph about a key, candidate with a disability for the OVERSEAS PRIVATE INVESTMENT CORPORATION. I have attached a copy of his resume for your information. Please do not hesitate to contact me with questions or comments.

- TONY COEHLO (NY)

  declined

  Disabled Managing Director, Schroeder, Wertheim. Former U.S. Congressperson. Leading disability advocate.

cc: Michael Whouley

Withdrawal/Redaction Marker
Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
005. memo	Paul Steven Miller to Janet Blanchard, Tom Shea; RE: Disabled Candidate for the President's Council on Physical Fitness (1 page)	04/15/1993	b(6)

COLLECTION:

Clinton Presidential Records
Presidential Personnel
General Files
OA/Box Number: 7526

FOLDER TITLE:

National Council on Disability: Decision/Discussion Memos

2007-0143-F
db4528

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]

WHITE HOUSE OFFICE OF PRESIDENTIAL PERSONNEL

M E M O R A N D U M

TO: Janet Blanchard
Tom Shea

FROM: Paul Steven Miller

DATE: April 15, 1993

SUBJECT: Disabled Candidate for the FRANKLIN DELANOR ROOSEVELT MEMORIAL COMMISSION

Attached is a brief paragraph about a key, candidate with a disability for the FRANKLIN DELANOR ROOSEVELT MEMORIAL COMMISSION. I have attached a copy of his resume for your information. Please do not hesitate to contact me with questions or comments.

- HUGH GALLAGHER (MD)

  Disabled author and historian who wrote the definitive biography of Roosevelt and the impact of his disability on his presidency.

cc: Michael Whouley

To Disabilities file
copy for Howie with
my note

Howie –
FYI as an example
of targeted, effective
advocacy.
Jan.

34

Fowler
Burke
Alexis Herman
Regina Montoya
Martha Johnson

WHITE HOUSE OFFICE OF PRESIDENTIAL PERSONNEL

M E M O R A N D U M

I'd like to discuss this with you - 7026
Paul

TO: Jan Piercy
John Emerson

FROM: Paul Steven Miller

DATE: March 25, 1993

SUBJECT: Status of Persons with Disabilities in the Personnel Process

---

At this stage in the process, I want to give you a status report regarding political appointments of persons with disabilities.

- OUTREACH. A tremendous outreach effort has been made to the disability community by this administration. People with disabilities appreciate and understand that this outreach has never been done before. The community has responded both with great interest in serving in government and high expectations about the appointments' process.

- APPOINTMENTS. The response to the appointment of Judy Heuman as Assistant Secretary of Education for the Office of Special Education and Rehabilitation Services (OSERS) has been incredibly well received. However, there is a concern in the disability community about a lack of appointments of persons with disabilities in "non-disability positions". OSERS oversees education and rehabilitation services for disabled persons. To date, only one person with a disability has been appointed to a sub-cabinet position which is not a disability-specific, Fernando Torres-Gil, the Assistant Secretary of Aging, HHS.

- IMPORTANCE OF INCLUSION. The President made specific commitments during the campaign and transition to appoint persons with disabilities across the government. Such inclusion is vital to the success of the President's legislative agenda. For example, only one person with a disability has been appointed at HHS, even though this department is critical to the implementation of health care reform (including Oregon Plan / ADA issues), Social Security reform, etc.

- AREAS NEEDING FOCUS. There have been no person with a disability appointed in any Offices of Civil Rights or General Counsel offices, although such appointments have

Withdrawal/Redaction Marker
Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
006. memo	Paul Steven Miller to Jan Piercy, John Emerson; RE: Status of Persons with Disabilities in the Personnel Process [partial] (4 pages)	03/25/1993	b(6)

COLLECTION:
Clinton Presidential Records
Presidential Personnel
General Files
OA/Box Number: 7526

FOLDER TITLE:
National Council on Disability: Decision/Discussion Memos

2007-0143-F
db4528

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]

~~JAN -~~

~~FYI~~

dissemination file

WHITE HOUSE OFFICE OF PRESIDENTIAL PERSONNEL

M E M O R A N D U M

TO: Bruce Lindsey
Carol Rasco
Alexis Herman

CC: Marcia Hale
Christine Varney

FROM: Paul Steven Miller (extension 7026)

DATE: July 16, 1993

SUBJECT: The Americans with Disabilities Act and the Disability Community

---

- INTRODUCTION

  - As the result of a consultation with Jan Piercy, Jan felt that you should be aware of these issues affecting the disability community. I tried to meet with Mike Lux from Public Liaison who had been working on these issues, to apprise him, but he was not available today.

  - I fear that there is about to be a major crisis with the disability community if a Presidential event it is not arranged around the Americans with Disabilities Act on July 26, 1993. I am willing and able to take on responsiblity for these issues to assist with any staff shortages. I will follow up with Carol Rasco on these issues.

- ISSUES

  - July 26th is the anniversary of the enactment of the Americans with Disabilities Act (ADA), the civil rights act for persons with disabilities.

  - July 26th also marks the start of the ADA requirement for a national TTD system enabling hearing persons to communicate with Deaf persons.

  - *NO EVENT* has been scheduled with the President and the Disability Community to mark the occasion.

  - President is traveling to Chicago to attend a reinventing the workplace conference with Secretaries Reich and Brown, thus the President's schedule is tight. (Plans are underway to insert some comments about disability issues into his remarks at the conference, but such remarks will be lost on the disability community.)

- There is a desire to keep the President's "message of the day" focused on the President's economic plan.

- <u>OPPORTUNITY</u>:

  - Have an event that allows the President to acknowledge and celebrate the anniversary of the ADA and frame the mission of the White House Office of Consumer Affairs in a way in which it has been conceived without interfering with his travel schedule and "economic message of the day".

- <u>SOLUTION</u>:

  - President should appear on a morning news show, (*i.e.*, Good Morning America or the Today Show) in which he:

    - Places a TTD call to Deaf person (i.e. Senator Tom Harkin's brother in Iowa) demonstrating the new TTD system. The call can be placed from the Oval Office while he is surrounded by members of the disability community and Senators Harkin and McCain. Hamp and Carol Rasco are also involved.

    - President announces the White House Office of Consumer Affairs appointments, including the role of that office will play in coordinating disability policy throughout the government. The President identifies a disabled individual as Special Assistant to the President in the White House who will be focusing on disability issues. (Currently there is no disabled person in the White House focusing on disability policy issues.)

    - President signs Executive Order redirecting funds within the Department of Justice for ADA enforcement. (*Carol Rasco is presently reviewing a proposal drafted by Harkin's office.*) *Alternative* -- Janet Reno announces the redirection of Department of Justice funds at a Department of Justice event.

- <u>Goals Achieved</u>

- Directly acknowledges and celebrates the disability community and the ADA without conflicting with the President's schedule or message. Acknowledges the national Deaf relay system.

- Frames and establishes the concept of the White House Office of Consumer Affairs and establishes a person in the White House who is responsible for disability policy.[1]/

- Averts snubbing and alienating the disability community and Senator Tom Harkin by recognizing disability issues.

- Responds to the fact that George Bush will be hosting a July meeting with disability community leaders in Maine to discuss ADA issues.

---

[1]/ Presently, there is no disabled person in White House focusing on disability issues for the President. Bush had Special Assistant to the Vice-President for Disability Issues. I have received calls from the Vice-President's Office asking me what to do with all of the phone calls that come in for that office. The Public Liaison staffer in charge of the disability community recently informed me that he will no longer have the disability community as part of his portfolio.

Disabilities file

WHITE HOUSE OFFICE OF PRESIDENTIAL PERSONNEL

MEMORANDUM

TO: Jan Piercy

FROM: Paul Steven Miller

DATE: April 28, 1993

SUBJECT: Banking/Securities Professionals with Disabilities

Attached are brief paragraphs describing high-level banking/securities professionals who would be appropriate for part-time banking commissions:

- IRA SCHOENHOLTZ (CA) -- White House Conference on Small Business Commission or other Part-Time Board

  Disabled small business person, owner of Schoenholtz & Co., a small business involved in the securities market. Founder and president of the American Association of Business Persons with Disabilities. Active in CAMPAIGN.

- J.P. MILILLI (IL) -- Part-Time Board

  President and founder of securities, futures, investment firm. Former Vice President of Bear Stearns & Co. and Oppenheimer & Co.

- KAREN SHAW (DC) -- FDIC or Part-Time Board

  Blind banker, President of the Institute for Strategy Development which provides information and consulting services for financial institutions (not a lobbying firm). Present member of the board of a bank. Former Vice-President of Bank of America. Frequent writer on banking issues.

- TONY COEHLO (NY) -- OPIC or other Part-Time Board

  Disabled Managing Director, Schroeder, Wertheim. Former U.S. Congressperson. Leading disability advocate.

American Association of Business Persons with Disabilities

Ira Schoenholtz
President

Ira Schoenholtz
291 Tarocco
Irvine, CA 92720

INDIVIDUALS WITH DISABILITIES - BUSINESS ADVOCACY

President and Founder of the American Association of Business Persons with Disabilities, which advocates changes in attitudes of government and businesses regarding contracting with businesses owned and operated by individuals with disabilities. On March 5, 1993, California Assembly Bill 2026 authored by Assemblywoman Vivien Bronshvag was introduced. We are committed to its passage. The AABPWD is the sponsor of A.B. 2026. Existing legislation has participation goals in state contracts for minorities and women [illegible] disabilities the same treatment under California State Law.

The House Banking committee is currently considering amending the Act that regulates the Resolution Trust Corporation. Chairman Gonzales' Staff Counsel has asked for the AABPWD's opinions regarding the language necessary for implementing a policy to be inclusive of businesses owned and operated by individuals with disabilities. This legislation would affect the RTC by empowering the disabled business owner as an equal to cultural minorities and women owned businesses in professional as well as commodity contracting.

BUSINESS EXPERIENCE

Owner of Schoenholtz & Co., a small business concern involved in the institutional fixed income securities market place. Our clients are State Treasurers, Local Government Investment Pools, Trust Funds and State Retirement Investment Funds.

PROFESSIONAL LICENSES AND AFFILIATIONS

NASD General Securities Principal License Series 24,, as well as General Securities Representative Series 7 and Series 63 license.

Corporate Affiliate of National Association of State Treasurers.

ORGANIZATION MEMBERSHIPS

Lifetime Member of Paralyzed Veterans of America, Wheelchair Tennis Players Association

EDUCATION

University of Maryland, Political Science, 1968, Pepperdine University, Business Administration, 1989

American Association of
Business Persons with Disabilities

Ira Schoenholtz
President

April 5, 1993

Mr. Paul Miller
White House
Office of Personnel
Old Executive Office Bldg.
Washington D.C

Dear Paul,

Regarding our recent conversation, I am submitting the following background information. My public and business involvements have allowed me to develop certain capabilities and expertise. I have a sincere interest in having a more direct role in the success of the Clinton/Gore Administration.

If you feel my experience points towards an advisory role at the Small Business Administration or possibly one the other Federal Agencies that deal with socially and economically disadvantaged businesses, I would welcome the challenge.

Sincerely,

Ira Schoenholtz

291 Tarocco • Irvine, California 92720 • Tel (714) 559-4516 • Fax (714) 640-7275
A NonProfit Association

Joseph P. "JP" Mililli
26W080 Sandpiper Court
Wheaton, IL 60188
(708) 665-6869 (h)
(312) 360-1110 (w)

Experience

1990 to present	United Capital Group President Founded securities broker/dealer, futures introducing broker and investment advisor to provide financial services to public and private institutions.
1988 to 1990	Bear Stearns & Co., Inc. Vice President Services retail security clients both domestically and internationally. Developed corporate finance practice with major foreign firms and organizations.
1985 to 1988	Oppenheimer & Co., Inc. Vice President Serviced retail security clients.
1982 to 1985	Dean Witter Reynolds Inc. Account Executive Serviced retail security clients.
1980 to 1982	Paine Webber Serviced retail security clients. Handled daily operations of a branch office. Traded corporate bonds and worked as liaison with sales force and traders.
1979 to 1981	Trans World Airlines Sales Agent Sold space on scheduled aircraft to both retail and corporate clientele.
1978 to 1979	Sears Roebuck & Co. Executive Trainee Worked in various operational areas including marketing, inventory control, purchasing, personnel and division management.

Education

1976 to 1978	Rosary College River forest, IL BA in International Finance

Qualifications

National Association of Security Dealers	Series 4	Registered Options Principal
	Series 5	Interest Rate Options Examination
	Series 7	General Securities Representative
	Series 24	General Securities Principal
	Series 53	Municipal Securities Principal
	Series 63	Uniform Securities Agent State Law Examination
National Futures Association	Series 3	Commodity Futures Examination
Federal Aviation Administration		Private Pilot

Chicago Tribune

Sunday, July 26, 1992

For 43 million disabled, law's expansion a key to open doors

By Wilma Randle

The second phase of the Americans With Disabilities Act goes into effect Sunday, and big business says it's ready.

Major corporations have had their legal and personnel staffs working overtime for the last year, revamping hiring policies, examining and modifying workplaces and eliminating possible instances of discrimination against the estimated 43 million people covered by the law.

But whether being ready on paper will translate into being ready in practice is a question that many—particularly advocates for the disabled—say remains to be answered.

And because what separates this law from others addressing the issue is a provision allowing those with complaints to sue alleged offenders, the final determination will not be made in the workplace but in the courts..

The act provides sweeping protections for those it defines as disabled, about 1.5 million of whom live in Illinois. Considered the most important civil rights measure since the 1960s, the law addresses two major areas: employment, particularly as it relates to hiring, and accessibility.

The ADA prohibits discrimination in hiring and promotion on the basis of a mental or physical disability.

It requires the removal of physical barriers in public places, including restaurants and stores, commercial facilities such as factories, warehouses and offices, and public transportation.

The law requires that companies make "reasonable accommodation" to see that all this happens. Only religious organizations, private clubs and lodgings with fewer than six units are exempt.

The first phase, addressing accessibility to public places and existing mass transportation, went into effect in January. By next January, any new public facilities must be accessible.

But it is the employment provisions of the law that many see as the heart of the legislation. And though large companies have had two years' notice of the act's requirements—companies with 25 or more workers must be in compliance as of Sunday, and those with 15 or more workers must comply by July 1994—the question remains: Are the nation's employers ready?

"I think the workplace is ready

See New law, pg. 14

Tribune photo by Walter Kale

Investment banker J.P. Mililli says the new law is a good start.

New law

Continued from page 1

in varying degrees," said James E. Williams Jr., president of the National Easter Seal Society, an organization that serves as an advocate for the disabled.

"Awareness of the ADA is high, but there's been a lot of misinterpretation about it," said Larry Gorski said some smaller firms have decided not to even try to comply with the law; they say their lawyers have told them to wait until there are some legal precedents.

"We've told them that if they wait, they may end up being a part of the case law," Gorski said.

The act is going to dramatically change how hiring personnel do their jobs.

For example, just as existing The law offers a tax credit of up to $15,000 for businesses to cover the cost of making establishments accessible. And a number of states, including Illinois, have begun offering incentive programs to assist with compliance.

For example, last week, Illinois unveiled a new, low-interest loan program called Ready Access (1-800-882-6303), which provides funding for businesses and individuals to make workplaces accause my legs don't work, my ears don't work very well, either."

Mililli eventually changed jobs and relocated to Chicago. He worked at two major brokerage firms before launching his own business in 1990.

While he has nothing but praise for the way he was treated by his former employers, Mililli said he knew that eventually he would reach a ceiling in the corporate world—a ceiling set not by his

ILL OIS
DEPARTMENT OF
CENTRAL MANAGEMENT SERVICES

Stephen B. Schnorf, Director

CERTIFIED MAIL

July 02, 1992

J.P. Millili
United Capital Group Inc
Po Box 06653
Chicago, IL 60606-0653

Vendor Number: 85034

Re: MBE Certification Approval

Dear Vendor:

Congratulations! After reviewing all of the information supplied by you, I am pleased to advise you that your firm has been granted certification as a minority business enterprise (MBE) under the Minority and Female Business Enterprise Act.

Should any changes occur in ownership and/or control of the business or other changes affecting the firm's operation, you are required to notify this office within two weeks of such changes. Failure to notify the office of the changes will result in decertification.

We have enclosed a list of the 65 State Agencies that are affected by the Minority and Female Business Enterprise Act. This list includes the names, addresses and telephone numbers of the Minority and Female Business Enterprise Bureau liaisons. If you provide a service, please note that each agency purchases services as needed. I suggest you send them a letter of introduction to make them aware of your firm. Commodities and equipment are centrally procured by the Department of Central Management Services. A daily report and copies of current commodity bids are available for review at our office.

Also included is a list of the 10 State Universities that are affected by the Act. When contacting the universities, it would be helpful to include a copy of your Bidder's Application Form for reference.

Please keep in mind this certification does not guarantee any contracts, however, it does assure your firm the opportunity to participate in the state's procurement process.

(L13)

We welcome the opportunity to have your firm participate in the State of Illinois' Minority and Female Business Enterprise Program. If we can be of any assisatance to you, contact our office at (217) 785-4320 or 1 (800) 356-9206 (in Illinois only).

Sincerely,

Cindy Baron

Cindy Baron
Certification Coordinator
Minority and Female Business
Enterprise Bureau

CB:pm (L13)

AN INTRODUCTION TO

UNITED CAPITAL GROUP

JP Mililli
United Capital Group
175 W. Jackson Blvd. Suite A909
Chicago, IL 60604
(312) 360-1110

UNITED CAPITAL GROUP, INC.

Securities Broker/Dealer

United Capital Group, Inc. ("UCG") was initially created to service the brokerage requirements of institutional investors, such as pension funds, endowment funds and trust funds in both the public and private sectors. The primary service that is offered is to execute equity and bond transaction with all of the professionalism that an institutional investor requires. UCG is a broker/dealer registered with the Securities and Exchange Commission and is a member of the National Association of Securities Dealers, Inc.

UCG has established a clearing relationship with The Chicago Corporation for execution of institutional securities trades. UCG offers its clients execution services for the financial transactions rendered with, at a minimum, the identical level of professionalism they currently enjoy. In addition, UCG will enter into "soft dollar" arrangements to provide its clients with timely research. This research is aimed at providing a broad economic perspective and understanding of the issues affecting the markets. The research that UCG supplies is currently being used by a select group of companies, investment advisors, pension funds and financial institutions -- worldwide.

UCG is unique in that it has been requested by the leadership of a number of African-American denominations to develop and market a retirement program to their pastors. No major financial institution has ever been able to create the marketing channels to effectively market to this community. Given the prominent leadership role that African-American pastors have within the African-American community, this endorsement creates a marketing channel between providers of sophisticated financial products and those who now require them. United Capital Group is committed to using the knowledge and expertise of its principals to serve this community as it develops a stronger financial base.

Strategic growth and diversification are built on the strength of UCG's core business. This allows UCG to enhance its revenue generating capabilities while fulfilling its commitment to bring more minority and disabled individuals into the financial services industry and concurrently servicing the financial needs of minority businesses. The areas of UCG's strategic growth are:

A. <u>Underwriting.</u> Many public agencies and municipalities have set asides for minority and disabled owned companies. In the State of Illinois, the Illinois Minority and Female Business Enterprise Act establishes a goal of 12% State business to be done with companies owned by minority individuals. To-date, we have been unable to identify any other firm which brings together the unique skills and perspectives of African-American, Asian-American and disabled individuals.

   Underwriting represents the most visible way for UCG to contribute to the quality of life in inner city communities, as well as for providing funding for projects dealing with accessibility for physically disabled Americans. In addition, many public agencies are committed to bringing minority owned firms into the mainstream of the financial community through participation in underwriting and the provision of other financial services. We will use these skills to participate as co-managers with leading underwriters on significant bond issues from both states and municipalities

Large investment banking firms seek large underwriting transactions. As a result, small to medium sized municipalities and agencies find tremendous difficulty in obtaining financing. Predominantly minority working class communities seek general development money through the issuance of general obligation bonds or revenue bonds. A new community playground or pool, which are made accessible to physically disabled children, or providing accessibility to public buildings and streets (as required by the Americans with Disabilities Act) are the types of projects that require funding. An example of this are community athletic and social facilities which are under $10 million in size. Financing such projects represents an area which, for the most part, is overlooked by large investment banking firms. This is a significant area of opportunity for UCG.

B. Corporate Finance/Investment Banking. UCG intends to become one of the premier investment bankers for opportunities involving minority ownership and for financing minority and non-minority transactions under $50 million. Our research has indicated that many corporate finance transactions of under $50 million are relatively unprofitable for the large investment banking firms due to the cost/benefit trade-offs. Through concentration on this size transaction, UCG is competitive in terms of cost and will be able to maintain a substantial profit margin. These same corporate finance skills will provide the base for UCG to participate in assisting minorities in working with major corporations in effecting mergers, acquisitions and joint ventures.

C. Merchant Banking. Within the scope of UCG's corporate finance activities, UCG may encounter opportunities for UCG to commit its own capital in conjunction with other minority firms in facilitating a transaction or creating a minority business enterprise. UCG may also act as an agent for entities who intend to invest in minority business enterprises as a part of their overall investment strategy. UCG is aware of international banks and major corporations that have just such a strategy.

UCG will not only be involved in the development of capital structures, but will work closely in providing leadership of these companies at the Board of Directors level. We anticipate, as a direct result of its merchant banking activities, that UCG will be on the leading edge of providing entrepreneurial opportunities for minorities as well as developing a clearing house for corporate clients to identify and transact business with minority vendors.

UNITED CAPITAL FUTURES, INC.

Futures Introducing Broker

United Capital Futures, Inc. ("UCF") is an Introducing Broker and is a member of the National Futures Association. As such, UCF offers professional execution services to institutions who use futures and options on futures in the normal course of business. UCF has established a clearing relationship with Quantum Financial Services, Inc. ("QFS"). Our association with QFS assures each client of a high level of comprehensive, professional service. QFS is a full service futures company that clear trades on all major futures exchanges and in terms of total clearing volume, is one of the largest firms in the industry. Of course, given the international nature of the business, we offer access to the markets whenever they are open. Whatever the execution requirement, clients are assured of receiving prompt execution, competitive margins and responsive reporting of trading and account information. In addition, UCF will make specific market strategies available for institutional clients who utilize futures and options on futures by specific arrangement.

Patricia Downes and Michael Downes are the primary trading contacts for futures transactions, both of whom are Principals and Associated Persons of UCF. All trades will be handled by principals of the company while concurrently providing each client with all of the resources of one of the major Futures Commissions Merchants in the industry. Pat is a knowledgeable broker and Certified Financial Planner, and Mike is an experienced futures executive with mastery in all aspects of a customer oriented futures company. Their 40 years of combined experience with the markets and their knowledge of floor operations will insure quality execution. Their experience in servicing major institutions and their access to the latest research provides the base upon which professional and proficient service is provided to UCG clients.

UNITED CAPITAL CASH MANAGEMENT, INC.

Investment Advisor

United Capital Cash Management ("UCCM") is a joint venture with Brenner Securities Corp. to provide superior short-term cash investment and enhance yield management capabilities to corporations, municipalities, state agencies and other governmental bodies. The investment objective is to provide higher yielding returns without added risk by employing active asset management through timing inventory turnover, expanded use of a variety of investment instruments, and by application of sophisticated asset management techniques administered by experienced cash management professionals.

UCCM provide the following enhancements for its clients by putting "street-side" knowledge to work for our clients.

- Superior investment yields over and above Federal short-term treasury investments, overnight or short-term repurchase agreements.

- Active cash management strategies designed to take advantage of yield opportunities in other money market instruments without reducing the credit worthiness of the portfolio.

- Enhanced reporting of daily information from the cash manager enabling clients to increase cash flow reporting and improve monitoring of the service.

- Cash management consulting concerning systems and management procedures.

UCCM's philosophy is to increase the diversity of the portfolio's assets. This can result in higher yields in the portfolio and an improved distribution of securities to reduce the risk to any single instrument. Utilizing a number of top-grade corporate money market instruments of high credit quality, along with guaranteed money center bank instruments, can provide enhanced yields in the current environment. There are a range of alternatives, including yield spread arbitrages between various types of funds ("fed funds" versus "clearinghouse funds"), that can help increase the effective yield on investment funds while maintaining the security of any collateralized agreement.

In addition, these cash management professionals will avoid the credit problems associated with various trading counterparts in the market based on there extensive experience. Not only will the portfolio securities be of high quality, but the counterparts to the transactions must be of equally high quality. All instruments would be government securities or higher investment-grade rated paper and counterparts and prominent, well capitalized firms.

As unique cash flow needs are determined, the cash manager can match the assets versus liability components of the portfolio to provide the highest yielding returns as are prudent.

Also, as a client may have certain investment restrictions, UCCM will work within these established guidelines.

Finally, the portfolios are actively managed. This means that funds are actively monitored and trading decisions are made to take advantage of capital gains which may be realized. The fundamental policy is to invest funds -- not to trade the account. This means that all investment decisions will be made under the primary premise that funds will stay invested until maturity.

BIOGRAPHIES
of
Equity Participants

Mayor Eugene Sawyer

Mayor Sawyer is a graduate of Alabama State University where he majored in chemistry. Upon graduation, he began a career in teaching. When he moved to Chicago, Mayor Sawyer obtained a position with the Metropolitan Sanitary District where he was able to directly apply his chemistry background.

He has had a long and illustrious career as a public official. He was first elected a ward committeeman in 1968. In 1971 he was elected to the Chicago City Council and served as an alderman until 1987. Upon the death of Mayor Harold Washington in 1987, Mayor Sawyer was selected by his peers to fulfill the remaining term of Mayor Washington. Since stepping down as the Mayor of the City of Chicago, he has worked as a consultant to Crown Energy Corp. and has maintained his involvement in many facets of politics.

Mayor Sawyer currently serves on the Board of Mid-Citco, Inc., Mid-City National Bank and the First National Bank of Morton Grove, as well as the NAACP.

JP Mililli

JP is a graduate of Rosary College where he received a BA in International Economics and Finance. While a student, he was elected to the Student Senate, worked as the head Resident Advisor for men and was President of Alpha Chi Epsilon Fraternity.

Upon graduation, JP was selected to participate in Sears' Executive Training Program where he immediately assumed departmental responsibilities. His initial entrance to the financial services industry was in the back office where he gained comprehensive experience in internal operations, regulatory compliance and internal audit. Upon registration as a Registered Representative with Paine Webber, he worked as a member of a select corporate bond trading team. Servicing institutional clientele began at Oppenheimer & Co. and JP worked as an advisor to a number of large corporations and ERISA plans while handling the full compliment of financial services and products. Due to his fluency in French, Italian and German he was able to develop an international clientele and due to his ability in Portuguese, he functioned as an advisor to major South American organizations in currency swaps, mergers and acquisitions and joint ventures. This experience was continued at Bear Sterns & Co.

In 1983, JP was afflicted with Guillain-Bare Syndrome which left him totally paralyzed at first, and resulted in a seven month stay in the hospital. There he profitably speculated in real estate. As a side note, JP became a private pilot after his disability and is one of the few licensed disabled pilots in the country. As a result of this disability, he has become highly sensitized to the status of the disabled. Consequently, he has developed a close working relationship with the President's Council on Americans with Disabilities, works as an advisor to senior executives at the National Organization on Disability and worked with the Mustard Seed Community, a community that meets the needs of Jamaica's retarded and disabled throw-away children. In addition, he is a member of the Council on Disability Rights. .

William M. Watts

Bill is a graduate of Moody Bible Institute and North Park College, was ordained by the Evangelical Covenant Church and pastored Covenant churches on Chicago's South Side.

He has had considerable involvement working with the business community in developing cooperative relationships that have permitted the business community to work closely with minority communities. While at Operation PUSH, Bill was involved in identifying industries that were major providers of goods and services to these communities. Among the industries that he has worked with were the liquor, soft drink, haircare and construction industries and firms included Coor's, Miller Brewing, Coke, Revlon, and Ford Motor. This involvement has also extended to the public sector in his work with the Illinois Attorney General's office, the Cook County Board and the City of Chicago in efforts to open the purchasing process to minority vendors.

Bill is the current area director for Prison Fellowship, an organization founded by Chuck Coulson to address the needs of prisoners, their families and those who have been released from prison. He is a Board Member of Operation PUSH and is actively involved in the NAACP, the Urban League and other community organizations and had worked closely with Dr. Martin Luther King, Jr. Politically, he has been an advisor to local, state and national candidates. Within his denomination, he chaired the national Urban and Ethnic Committee which dealt with a variety of social and national concerns.

James Stuart

Jim received his undergraduate engineering degree from Illinois Institute of Technology. He subsequently earned an MBA with an accounting concentration from the University of Chicago and is a Certified Public Accountant.

After spending four years in the tax and consulting divisions of Arthur Andersen & Co., Jim obtained significant experience in the commodities and securities industry. He was Vice President and Controller for Chicago Research & Trading Group, one of the nation's largest arbitrage firms. At CRT, Jim was involved in establishing domestic and international operations during a time when CRT was doubling in size annually. This required the knowledge and integration of securities law, futures law, tax law, operations and financial management. Additional international trading operations experience was obtained with a British merchant trading firm in England and Africa that was extensively involved with cash commodities. Other securities experience was at Abraham & Sons Asset Management, an equities asset manager and securities broker.

Jim was the Treasurer of Circle Urban Ministries, a comprehensive social service agency located in Chicago's Austin neighborhood. He has also been active in the financial affairs of several churches.

Patricia Downes (United Capital Futures, Inc.)

Pat is a graduate of the University of Illinois and Northwestern University where she received her MBA with a finance concentration.

Pat has devoted her entire career to the financial services industry and has extensive experience in both securities and commodities. Pat has had management experience as a Securities Branch Manager for Heinhold Commodities and had worked in partnership with her brother Mike in building their own commodities and securities practice. She has been actively involved in the Chicago Agricultural Economics Club as well as being an active member of the Foundation for the Study of Cycles. Pat completed a four year program on all aspects of financial planning and is now a Certified Financial Planner.

Pat is on the Board of Directors of a women owned service company in Chicago and has served on the Women's Board of the Chicago Hearing Society.

Michael J. Downes (United Capital Futures, Inc.)

Mike is a graduate of Northwestern University where he received his BS in Investment Finance which was completed while he was learning first hand the commodities industry on the floor of the Chicago Mercantile Exchange.

Mike then spent 13 years with Heinhold Commodities. His initial responsibility was as the West Coast Regional Manager where he built the region from one to twelve branches. Upon his promotion to Vice President responsible for all branch operations and sales, the firm's network of offices grew from less that 100 to more than 150 with over 750 in personnel. He further expanded his skills and expertise in the industry when he assumed responsibility for compliance, communications, floor operations and new product. Execution skills are also in Mike's portfolio of skills. He worked as an S&P trader on the floor of the Chicago Mercantile Exchange and provided alternative trading strategies to different users of the markets. After the sale of Heinhold Commodities, Mike joined Bear, Stearns & Co. He was responsible for building their Chicago commodity practice. Mike continues to hold a seat on the Chicago Mercantile Exchange in the IOM Division.

Mike is currently President of The Chicago Farmers, a professional association of farm owners (including the senior executives of a number of Chicago corporations) and other professionals associated with the agricultural industry. The Chicago Farmers function as an educational forum and provide scholarships to deserving individuals. As an amateur radio operator, Mike has been active in providing communications support for a number of community activities and provides emergency communications services.

PHILOSOPHY

As the decade of the 1990's began, many social critics have noted the great strides that American society has made toward achieving social justice and equal opportunity for all. But even the most positive of these voices has acknowledged that massive inequities still remain. Some observers have even argued that we are entering a period of retrenchment. These pessimists see the engine of social change stalling, and this in the face of demographic trends which make more imperative than ever the need for genuine progress toward opportunity for all, through all the institutions of the American society and economy.

It is universally held that there exists an urgent need to develop the capital base within minority communities. Thus, UCG is committed to help provide access to capital markets which have been previously denied to minority owned firms and individuals. By doing so, UCG will assist in expanding the number of successful minority business enterprises. Over the past 25 years, the groundwork has been laid through expanding educational opportunities as well as through increased professional growth. Although there is still much to be done in each of these areas, we believe that the time is now ripe for increased development of significant minority businesses.

In a number of areas within the financial services industry, minority participation is minimal. Among these areas are the marketing of financial services, professional level operations, trading and exchange floor operations as well as exchange membership. In its growth, UCG seeks to hire experienced African-Americans, and disabled Americans and will provide entry level opportunities within the financial services industry for these historically under represented groups. In recognition of the economic situation that the disabled confront, legislation was passed to amend the Illinois Minority and Female Business Enterprise Act to treat the disabled in a similar manner to racial minorities and women.

Finally, the principals of UCG are active participants in community affairs both locally and nationally. As owners and active participants in the financial services industry, the principals are expanding their community participation and providing time, leadership and expertise to organizations in addressing the educational, economic and social issues confronting society.

CERTIFICATION

UCG is certified as a minority owned business (Vendor Number 85034) pursuant to the Illinois Minority and Female Business Enterprise Act, as amended. The Illinois Minority and Female Business Enterprise Act is administered by the Minority and Female Business Enterprise Bureau of the Department of Central Management Services of the State of Illinois

REPRESENTATIVE CLIENTS

American National Bank of Chicago

Brandywine Asset Management

Calamos Asset Management Inc.

Cooke and Bieler Inc.

Denis Wong & Associates

Eagle Asset Management, Inc.

Fayez Sarofim and Company

IBM Retirement Find

Kemper Financial Services

Lazard Asset Management

The Marshall Plan

The Northern Trust Company

The Quaker Oats Company

Sara Lee Corporation

Smith Barney Harris Upham Inc.

Trust Company of the West

PROFESSIONAL RELATIONSHIPS

Accountant:	Price Waterhouse 200 East Randolph Drive Chicago, IL 60601
Corporate Attorney:	Hoogendoorn Talbot Davids Godfrey & Milligan 122 S. Michigan Avenue Chicago, IL 60603
Regulatory Attorney:	Vedder, Price, Kaufman & Kammholz 222 N. LaSalle Street Chicago, IL 60601
Clearing Broker:	Morgan Stanley One Pierrepont Plaza Brooklyn, NY 11201
Futures Commission Merchant:	Quantum Financial Services, Inc. 209 S. LaSalle Street Chicago, IL 60604
Public Relations:	William Linder Inc. 20 N. Wacker Drive Chicago, IL 60606

WINWORD\UCG\PRINTRO1

11/30/92

United Capital Group

175 W. JACKSON BLVD., SUITE 1800
CHICAGO, IL 60604
(312) 360-1110

MAILING ADDRESS
P.O. BOX 06653
CHICAGO, IL 60606-0653

February 22, 1993

Mr. Malcolm S. Forbes, Jr.
Forbes, Inc.
60 Fifth Avenue
New York, NY 10011

Dear Mr. Forbes:

Let me compliment you on the article When quotas replace merit, everybody suffers (Forbes, February 15, 1993). It was an excellent piece of propaganda. In order to be good, propaganda must have a high degree of truth, but twisted at a crucial point to appeal to the base instincts of the target constituency. The false presumption is that if we can only get rid of these damn regulations everybody will be treated on the basis of merit and we can go back to properly running a business. I would perhaps more accurately re-title this article as When prejudice replaces merit, everybody suffers.

Forbes supports the very thing it condemns. The lead paragraph really said it all.

> ""Quota games ... math games ... bean counters!" ... According to widespread reports, some of his original Cabinet picks were bumped because they were the wrong sex or race, key constituencies like urban Catholics and supporters of Israel have been crowded out"

A quota of urban Catholics and supporters of Israel is proper, but considering 43 million disabled, 26 million African-Americans, etc. isn't. How we squeal if *our* quota priorities are overridden by someone else's priorities. The selection of Zionists is particularly insightful in that if there ever was a group intent on implementing quotas, it is the Zionist leadership of Israel. "Transfer" (comparable to ethnic cleansing), a quota of zero Palestinians in Israel and a few in the Occupied Territories - that's OK. All this proves is that one man's merit is another man's prejudice. A Palestinian would find an Israeli merit system suspect. Should yours have any higher credibility?

I believe in merit. However, failure to acknowledge that prejudice and fear of the unfamiliar frequently overrides a rational decision based on merit is either naive or stupid. Highlighting a few events from history demonstrates this evil tendency. Every other nation but our own voluntarily eliminated slavery. Abolitionists only became a significant factor after the British Empire voluntarily abolished slavery in the 1830's. For 30 years the response of the Southern planters was to dig in their heals and defend the righteousness and natural order of slavery rather than admit that it was a flawed, exploitive and uneconomic system. Failing to discern the changes in society, their entire way of life was destroyed and the bulk of the Southern economic base (slaves) eliminated. The Smoot-Haley bill sought to protect from foreign competition American business. The Depression destroyed much more in economic wealth and privilege than foreign competition. Failing to discern the changes in the economic structures, their way of life was compromised and bankruptcy was the order of the day for many. After World War II, the French sought to reestablish their colonial position and privilege in Vietnam. In 1954 that attempt died. They failed to discern the changes in the structures of the world and the desires of the Vietnamese to rule themselves. They lost their colonies and their way of life.

Whether acknowledged or not, people are always more comfortable dealing with their own kind. It takes intellectual honesty and work to confront the cultural and ethnic differences that exist in society. The melting pot doesn't work the way it used to work. As a person with a disability, I require the use of canes and leg braces. I move slower and am conspicuous coming down the street. Getting in and out of chairs or cars is not elegant. Thus, people look at me and many feel uncomfortable being around a person with a disability. This level of discomfort only increases with the severity of the disability. They don't know if they should help, if they should offer assistance, or whether they might be embarrassed if they did. Most would prefer not to be confronted with the imperfections in this world. They prefer to live in blissful ignorance of others not like themselves.

Do you genuinely believe that people will lay down their prejudices and make decisions solely on merit? If you do, I've got a bridge I'd like to sell you. The goal of regulatory systems is to increase costs so that certain types of behavior are rewarded and others are condemned. That is the purpose of government intervention into the economic sector. The industry that I am in, the securities industry, is highly regulated to control greed and avarice - and it is costly. We are covered by the Securities Act of 1933, the Securities Exchange Act of 1934, the Investment Advisors Act of 1940, the Securities Investor Protection Act of 1970, the Commodity Exchange Act; and these are only a few of the statutes at the Federal level. I am accountable to the Securities and Exchange Commission, the National Association of Securities Dealers, several state securities departments, the Commodity Futures Trading Commission and the National Futures Association. Plus, out of my own pocket I have to pay for audits by public accounting firms and comply daily with all of the rules and regulations, for I am subject to surprise regulatory audits at any time. And even with all of this, I can still be sued by my clients. My direct, indirect and opportunity costs are high. Shall we pretend that these regulatory structures aren't needed and advocate the elimination of the Securities and Exchange Commission, etc.?

The structure and costs of the current system as administered by the EEOC and others leave a lot to be desired and is costly. Forbes is right to point out the injustices, conflicts in jurisdictional issues and bureaucratic capriciousness. Nevertheless, to assert that prejudice will be done away with by simply reverting to a merit system denies the malicious hostility of some and the ignorant bias of others. Perhaps an example or two would serve to illustrate this fact. We have just had an African-American who was a futures trader join us. He was available because after eight successful years on the trading floor working as one of the primary traders in one of the largest pits he was terminated by his firm. Why? Because he was successful - the results of trading tell you that every day. Management wanted one of their white employees to enjoy the rewards of what he achieved. In a free market, how would Gary Becker explain this behavior? Its certainly not rational and opened them up to the possibility of legal action. They knew that this was a possibility since they had previously had at least four other situations where legal action was taken against them. They had also previously removed the only African-American manager and the only women manager in the firm. Again, competence was never an issue, but others wanted their positions and management really didn't like working with Blacks and women. By eliminating *any* regulatory scheme, you would simply be substituting one set of injustices for another.

The real question is what type of regulatory scheme? You can't turn the clock back to the "good old days" of 1900 when the disabled were behind closed doors or in institutions, the Negroes were still down South tied to a system of sharecropping and the women were content to utilize their skills outside of the business community. The traditional white able-bodied male dominated business community is not credible in a large segment of the population. Despite the costs that business now confronts, the fact is that the demographics of America mitigate against the business community ever rolling back in time and eliminating all of these costs. What is required is a regulatory scheme that is perceived as fair and equitable for all.

Therefore, perhaps the EEOC should function more like the SEC wherein many compliance functions are privatized and industry becomes responsible for establishing the norms. The NASD and the various exchange are self-regulatory organizations that administer rules that they develop. We can take the model of the accounting industry where there are generally accepted accounting and auditing principles. Certainly generally accepted personnel policies are within the realm of possibility and preferable to EEOC fiats. Standards could be developed for different industries with ample opportunity for input from all concerned parties. Being audited by qualified personnel professionals would be superior to EEOC bureaucrats.

Since Forbes has failed to offer any politically salable alternatives to the problems of the current regulatory scheme, the substantive effect of this "whining" article is to confirm and support the bias and prejudices of many and provide an unbalanced perspective which only deals with some of the injustices in the contemporary American workplace. Those with biases can now rest assured that their biases are justified and they are simply responding in an appropriate and righteous manner when further intrusions are resisted. After all, perhaps the next minority that walks in the door is nothing more than a "front" and we shouldn't encourage such behavior. The next lawsuit is probably nothing more than a disgruntled retard who couldn't cut it in the real world. Heaven forbid that I should accommodate this "civil rights frenzy." Should public transit be made assessable, should structural barriers be taken down, should provision be made to accommodate physical handicaps, all of these persons with disabilities might want to experience the dignity of work. Lord God Almighty, save us from this calamity and keep us safe amongst our own kind. I find it unconscionable that a prestigious publication such as Forbes would pander to these base instincts.

Forbes can't hold back the tide, but through a responsible approach can help to guide and direct that tide. Otherwise, the response simply models that of the Southern planters. Here in Illinois, we have seen that mentality at work. Members of the legislative leadership have focused on the inability of most of the investment advisors to the State pension funds to effectively work with minority brokers. Since 1984, the State of Illinois has had a clearly stated policy regarding minority participation in State contracts. Whether good or bad is an irrelevant consideration at this point - the policy exists and is the policy of the people of the State of Illinois. At legislative hearings, through the Executive Directors of the funds and through the trade media, this policy has been enunciated. And yet, most of the investment advisors still don't understand that one of the basic principals of business is to give the customer what he wants, particularly when there is *no* change in cost, service or risk. I was pointedly told by the head trader at a major investment advisor who manages funds for the State that he just doesn't like dealing with minority brokers. So, is it surprising that with this last legislative session that additional regulatory requirements were instituted? I would have thought that an intelligent, perceptive businessman would seek to understand the market and his client, particularly when that client can change the rules, and not intentionally inflict additional regulatory burdens on himself or his client. Would Gary Becker identify this as rational free market behavior? When issues of race, sex or disability are present, normally rational people behave irrationally. After all, its a matter of principle.

Some businessmen spout the right words, but they lack substance. As you are aware, many businesses have established departments to assist minorities in selling to their firms. These departments may all look the same, but the underlying motivation can be:

1. To assist minorities in overcoming the institutional inertia - which may simply be a mask for the prejudice that exists. After all, what better way to accommodate, but really frustrate. (Acknowledgment of bias).

2. To show minorities the ropes since they aren't competent. (Demeaning).

3. To screen out minorities from genuine participation. (Perpetuation of bias).

We have found that they are more problem than they are worth and have insisted on dealing directly with the appropriate decision makers. Merit is how we expect to play the game and any approach other than that compromises us. But even a direct approach is no guarantee that the parties will recognize the institutionalized bias present or their own role in perpetuating that bias by screening out new firms with new ideas -- particularly when that idea comes from a minority firm. The attached correspondence that we had with William M. Mercer Asset Planning more than illustrates institutionalized problems that *still* exist.

As an aside, I would suggest that Forbes might want to take a look at the pension fund consulting industry as the checks and balances that are necessary for a healthy free enterprise market do not exist. For all practical purposes, the pension fund consultant and not the trustees of the fund may control the fund. The only organizations with the skills and ability to challenge their competence are the investment advisors. The trustees may not have the financial sophistication to do so. Without checks and balances and the free flow of information, how does this affect this industry though cost inflation or poor performance? At present, no legal right of action exists on the part of a wrongly excluded investment manager and it is about the only segment of the financial services industry that is not regulated. The consultant is free to be arbitrary and unaccountable.

Given the demonstrated biases in this article and its imbalance, I can only assume the selection of statistics and illustrations are equally selective and narrow. If I had your resources, I'd certainly check them. Your selective analysis only supports a mentality to resist change. It is crucial to understand the times as they are and not hold to false illusions. The Southern planters had that problem and they had their academics to tell them what they wanted to hear. Academia was never terribly reflective of the real world. However, a good businessman sees opportunity in change.

Finally, your only point of hope is death:

> "It may be that before America can talk rationally about race, the generation that remembers segregation will have to die off."

First, this shows contempt for those that carried the vision for an integrated society. Second, just as the Jews should never forget the horror of the Holocaust and the need for a nation with appropriate security, Americans should never forget what segregation cost African-Americans and institutionalization cost the disabled. Censoring and forgetting history solves nothing. Third, do you think we really have time to just table our social problems? Fourth, it may already be happening. The role model for many African-Americans is not Martin Luther King, Jr. but Malcolm X. Who do you expect to discuss issues of race and prejudice with?

We should all hold to the dream of Martin Luther King, Jr. for a character based society. Failure to recognize that though prejudice is irrational, when it appeals to our base instincts it may prevail unless the costs are increased. After all, isn't this what the world is struggling with regarding Serbia, increasing the costs to change behavior. Churches recognize the inherent fallenness of mankind and American was founded based on a system of checks and balances. Prejudice and bias are inherent manifestations of that fallenness and must be checked. An altruistic appeal to merit is folly if it fails to factor in this human condition.

Sincerely,

JP Mililli
President

PS: Dr. Samuel A. Cartwright, a medical graduate of the University of Pennsylvania and noted physician of the 1850's identified a number of diseases peculiar to the Negro race. Among them were Dysaesthesia Ethiopia. This was a particularly prevalent disease and there were frequent flare-ups throughout the South. However, with proper and quick medical intervention, this ailment could quickly be brought under control. The required remedies included the liberal anointing of the body with oil and slapping the oil in with a broad leather strap. There seem to be new strains of this disease and its transmission to other segments of society today. Certainly we should seek to update our medical knowledge in order to address its more virulent forms. Of course it may be easier to remember and refer to this disease by its generic term, the term used by the overseers - "rascality."

cc: Secretary Robert Reich
Secretary of Labor

Chairman Evan Kemp
EEOC

Mayor Richard M. Daley
City of Chicago

Lawrence J. Gorski
City of Chicago

Senator James "Pate" Philip
President - Illinois Senate

Senator Emil Jones
Minority Leader - Illinois Senate

Alan Reich
National Organization on Disability

Mayor Eugene Sawyer
Board Member - NAACP

Gary Becker
University of Chicago

Richard Epstein
University of Chicago

Speaker Michael Madigan
Illinois House of Representatives

Representative Lee Daniels
Minority Leader - Illinois House

President Clinton complained about "quota games" and "bean counters" when people criticized the composition of his Cabinet. Welcome, Mr. President, to a problem that you now share with millions of your fellow Americans.

When quotas replace merit, everybody suffers

By Peter Brimelow and Leslie Spencer

"Quota games . . . math games . . . bean counters!"

President-elect Bill Clinton had every reason to lash out at feminist groups at his Dec. 21 news conference. In fact, he had been bean-counting busily himself: According to widespread reports, some of his original Cabinet picks were bumped because they were the wrong sex or race, key constituencies like urban Catholics and supporters of Israel have been crowded out, and his entire appointment process has been seriously slowed. But now mindless feminist pressure was forcing him to admit the ultimate contradiction of all such affirmative action policies: "Diversity" can conflict with merit.

Above all, the President must know the issue is death for the Democrats: His own pollster, Stanley Greenberg, conducted the post-1984 focus group interviews that found opposition to quotas was key to the defection of white working-class voters. (The party promptly suppressed Greenberg's report and now uses only happy-talk such as "looking like America." But a quota by any other name is still a quota.)

If quotas are clogging the Clinton transition, what are they doing to the economy? The subject went unmentioned, needless to say, at Clinton's two-day economic summit in Little Rock. In fact, it has gone virtually undiscussed throughout the quarter-century of bureaucratic and judicial decrees that have effectively transformed the color-blind 1964 Civil Rights Act into a pervasive quota system.

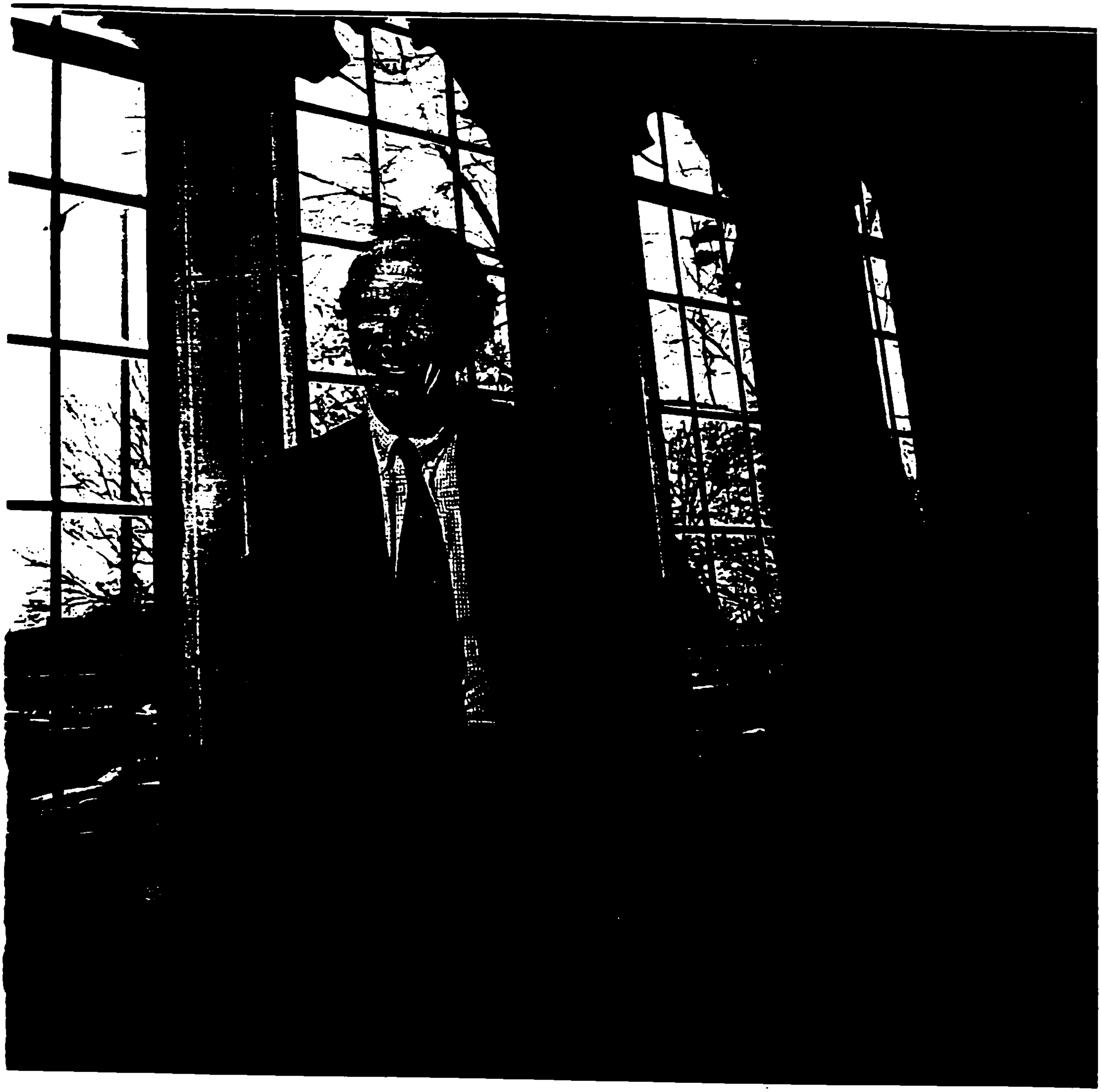
Ironically, just as socialism has collapsed across the globe, the leading capitalist power has adopted a peculiarly American neosocialism, putting politics (and lawyers) in command of its workplace, albeit on the pretext of equity rather than efficiency. Says Edward Potter of the Washington, D.C.-based Employment Policy Foundation: "We have, without doubt, the most far-reaching equal employment laws found anywhere in the world."

Before applauding Potter's sweeping statement, stop for a minute and ponder this question: What does the replacement of merit with quotas cost the American people? The answer is: plenty. The impact may easily have already depressed GNP by a staggering four percentage points—about as much as we spend on the entire public school system.

Quotas are not the law of the land, exactly. They are explicitly banned in both the 1964 and 1991 Civil Rights Acts. Nevertheless, corporate America has been terrorized by the legal legerdemain whereby any statistical disparity between work force and population is equated with intentional discrimination. Throughout American business, newly entrenched affirmative action bureaucrats are enforcing discrimination by race and sex—in favor of the "protected classes" (women, minorities and, most recently, the disabled)—as decreed by

Gary Becker, 1992 Nobel laureate in economics, University of Chicago

"Competition forces people to face costs, and therefore reduce the amount of discrimination when compared with monopolistic situations."



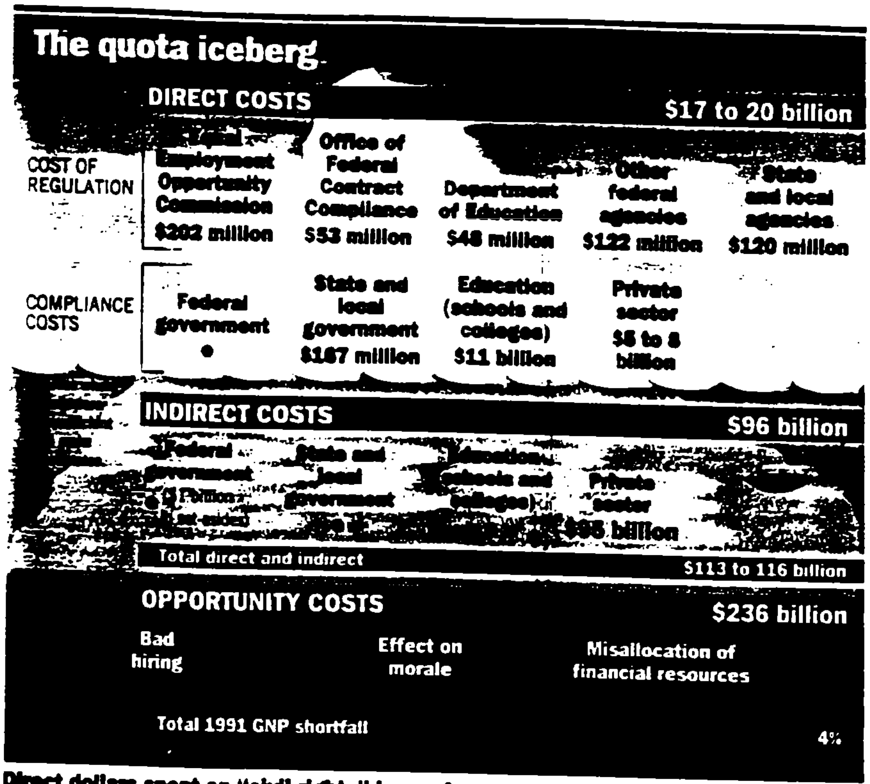
Washington.

One such bureaucrat, Xerox Manager of Corporate Employment Theodore Payne, puts it bluntly: "We have a process that we call 'balanced work force' in Xerox, everybody understands that, and it's measurable, it's goals. . . . *Relative numbers. Relative numbers. That's the hard business, that's what most people don't like to deal with, but we do that all the time.*"

"Balanced work force" is, of course, yet another euphemism for quotas. Payne is apparently saying that Xerox discriminates against white males in favor of the "protected classes." He says it without apology. But, if anyone cares, white males have feelings (and families to support), too.

"To cut whites out of the entire process is racism pure and simple," laments a white male reporter for the *San Antonio Light*, which is due to close down any day. He says Gannett and other major news organizations are showing interest in his Hispanic colleagues exclusively. But he adds: "I don't want to be quoted. I'll never find another job if I am."

In a blistering 1987 article in *Society* magazine, the late Professor William Beer of Brooklyn College described his fellow social scientists' attitude to affirmative action as one of "resolute ignorance." FORBES' search of academic journals and Ph.D. theses confirms that ignorance has remained resolute. What little work has been done tends to focus only on whether



Direct dollars spent on "civil rights" law enforcement and compliance is only the tip of the quota iceberg. Below water, the indirect costs—resources diverted from other activities—are even larger. And this causes an accumulating GNP shortfall.

affirmative action policies have benefited the "protected classes." (Have they? For an answer, see below.)

Corporate America contributes to this resolute ignorance by declining to disclose its costs. "Our members would never say," the National Association of Manufacturers' Diane Generous predicted (rightly). "They would be concerned they might be accused of complaining about how much money they had to spend on this."

Another big business lobby, the Business Roundtable, did publish a study by accountants Arthur Andersen more than a decade ago on how much its members spent to comply with federal regulation, including specifically the Equal Employment Opportunity Commission (EEOC). But today a Roundtable spokeswoman says the organization has no plans to update the study—and that it no longer even possesses any copies.

Sure, measuring the costs of regulation is difficult. But it can be done. For example, the Environmental Protection Agency is required by executive order to make regular estimates of its economic impact.

So here is a rough but reasonable try at figuring the cost of quotas. That funny noise you hear from now on is economists gritting their teeth. Our response to them: Go make your own estimates. And remember—the truth shall set you free.

Two points about quotas emerge immediately:

Quotas are a very big deal. All employers with more than 15 staff, public, private or nonprofit, come under the EEOC's Uniform Guidelines on Employee Selection Procedures. All can be sued by the EEOC for "discrimination" if the racial, ethnic and sex mix of new hires diverges sufficiently from that of all other qualified applicants—for example, if the percentage of blacks hired is lower than the percentage of blacks applying. That covers 86% of the entire nonfarm private-sector work force.

Additionally, more than 400,000 corporations doing business with the federal government, covering about 42% of the private sector work force, have to file with the Office of Federal Contract Compliance Programs (OFCCP). This process is so onerous that the OFCCP's explanatory manual is about 700 pages long. Corporations with contracts of $50,000 or more must develop an "affirmative action plan" aimed at achieving staffing at all levels that is proportionate to the composition of the qualified work force.

Many colleges and universities are subject to no fewer than three federal agencies: EEOC, OFCCP and the Department of Education's Civil Rights Office. And finally, there are federal, state and local governments. Here a racial and gender spoils system has effectively subverted the merit hiring rules so painfully established by Progressive Era reformers at the beginning of the century.

All of which means that the 1984 poll that found one in ten white males reporting they had lost a promotion because of quotas was quite possibly accurate. Indeed, it could be an underestimate. Quotas have been implemented with extraordinary secrecy and deceptiveness, in part because of their dubious legal status.

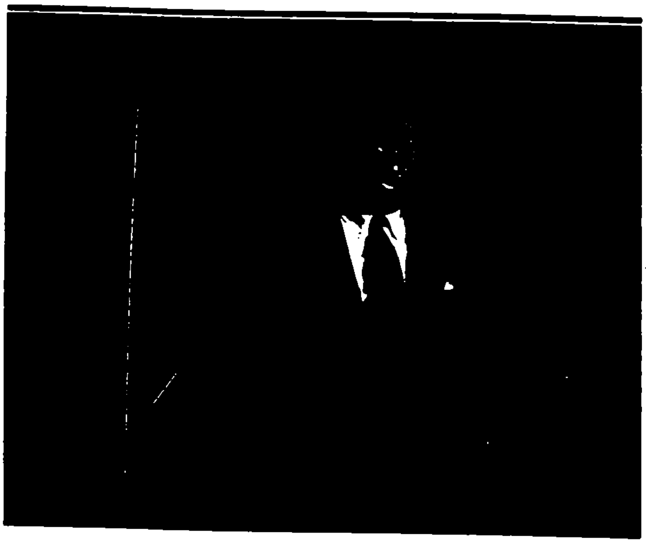
"Word comes down, but it does not go out," says Claremont McKenna College sociologist Frederick Lynch, author of the only study on the impact of quotas on white males, *Invisible Victims*. He cites a Los Angeles manufacturer whose receptionist was instructed to accept but quietly shelve employment applications from whites and Hispanics—after they had left the room—because the plant did not have "enough" blacks.

Typical of the secrecy and scale of quotas: the "race-norming" saga. EEOC Vice Chairman R. Gaull Silberman—a Reagan appointee—says that until she read it in a newspaper in 1990, she and EEOC Chairman Evan Kemp had "absolutely no idea" that their own agency was pressing for aptitude tests to be race-normed. This bit of bureaucrat-speak refers to the practice of radically adjusting scores to compensate for minorities' systematically lower results. Yet race-norming had been going on throughout the 1980s. It reportedly subjected at least 16 million test-takers to a quota system they knew nothing about.

After public outcry, race-norming was banned in the 1991 Civil Rights Act. But quotas, like vampires, have proved virtually impossible to kill. Now they seem to be rising from the grave in the shape of a new test-twisting technique called "banding"—concealing differences in performance by lumping ranges of scores together.

The second point about quotas:

Quotas are very expensive. There's surprising denial about this. University of Chicago free market economist Gary Becker, a 1992 Nobel laureate, wrote the standard analysis, *The Economics of Discrimination* (1957). But Becker recently shrugged off affirmative action in a *Business Week* column. He argued that although affirmative action "does hurt some individuals, as it caters to minorities with political clout," it "probably causes less harm than many other programs," such as farm supports.



Theodore Payne, manager of corporate employment, Xerox Corp. **"Relative numbers—that's what most people don't like to deal with, but we do it all the time."**

Strangely, however, Becker tells FORBES that in fact he has no idea what quotas cost ("I think it's an important subject for research"). But we do know what farm supports cost: about $9.7 billion in 1992, which is substantially lower than our estimate of $16 billion to $19 billion for private-sector and education compliance costs alone *(see p. 82)*.

Nevertheless, Becker's analysis of discrimination remains the best framework for assessing the economic impact of quotas:

In a free market, Becker argued, there is an inexorable tendency for everyone to receive the marginal value of his or her labor. This means that ultimately, you are likely to be paid something like what your work is worth. If you belong to an unpopular group, employers may pay you less. But that means that they will make more money off you. Because you are such a profitable hire, you will come into demand, and your labor will be bid up. This process can only be prevented by monopoly or government intervention—both of which happened, for example, in South Africa under apartheid. And now in the U.S. under affirmative action.

Talking to FORBES, Becker is very anxious to stress that he is *not* saying discrimination will be *completely* competed away. But there is a *tendency* for it to be competed away. "Competition forces people to face the costs, and therefore reduces the amount of discrimination, when compared with a monopolistic or noncompetitive situation," Becker says.

If you believe that racism stalks America like the Angel of Death and that only federal force can keep it in check, you won't like what Becker is saying. But the evidence clearly supports him.

"Once adjustments are made for factors like age, education and experience, 70% to 85% of the observed differences in income and employment between the various groups in America disappears," says economist Howard R. Bloch of George Mason University. "That's been shown by studies dating back to the mid-1960s. And you can't even be sure that the residual gap is due to discrimination. It could be due to factors we haven't controlled for."

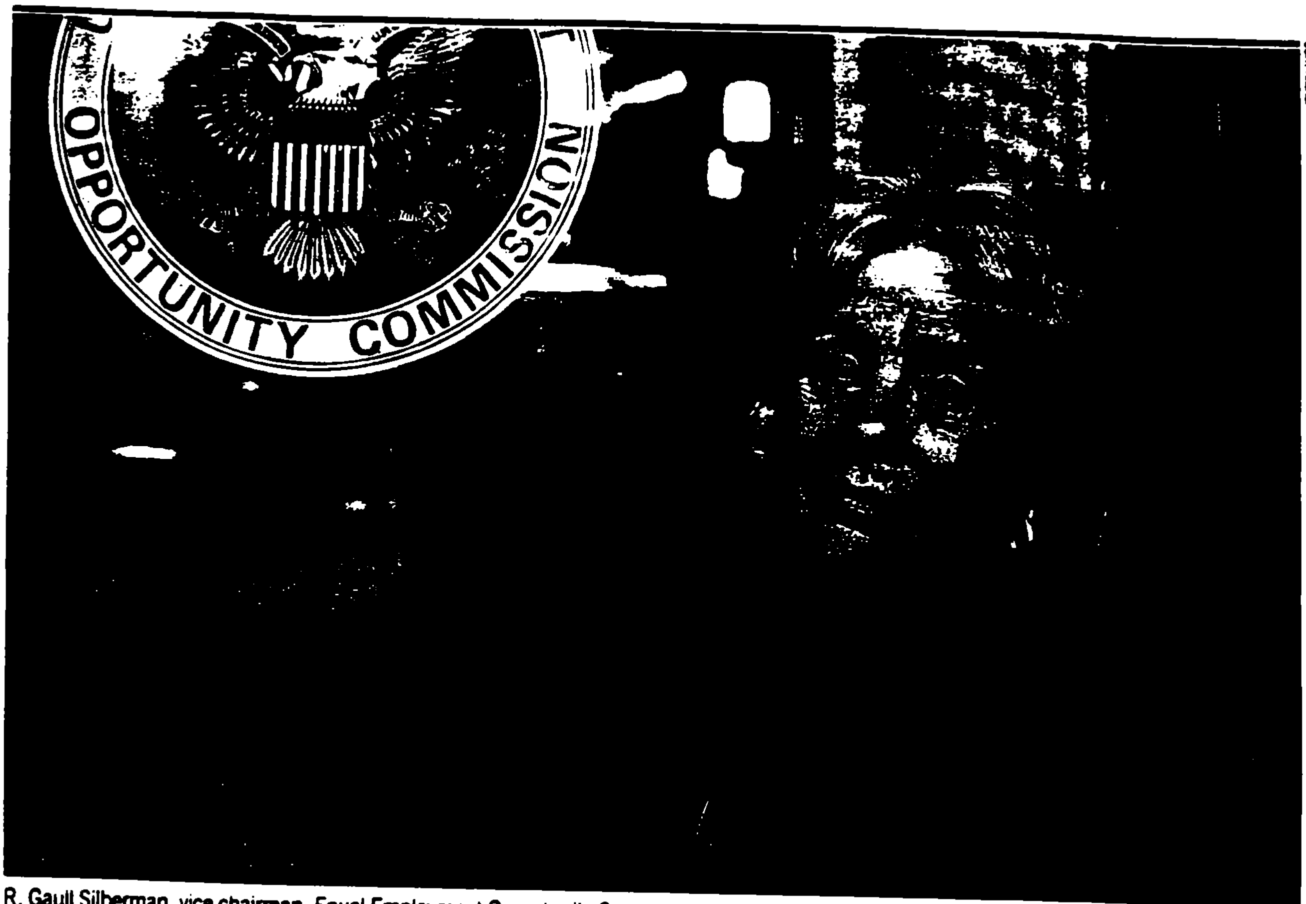
Indeed, Harvard economist Richard Freeman found blacks and whites with the same backgrounds and education had achieved wage parity by 1969, well before quotas had America in their grip.

Even the recent much-touted Federal Reserve Bank of Boston study claiming to prove the existence of racial discrimination in mortgage lending turns out to have made a basic methodological error in its handling of default rates (FORBES, *Jan. 4*). Perhaps significantly, its coauthor, Boston Fed Research Director Alicia H. Munnell, was a featured speaker at the Clinton economic summit.

All of which shows the fallacy of two common arguments for government-imposed quotas: that they are necessary to force corporations to tap new pools of labor, and that corporations need a diverse work force to service an increasingly diverse population. Both simply assume that markets don't operate—that corporations couldn't figure this out themselves.

In fact, it's hard to see any benefits contributed by quotas to the overall economy—as opposed to the benefits they channel to the "protected classes." "Affirmative action is a fairly pure form of rent-seeking," says the University of Arizona's Gordon Tullock, using the concept he developed for special interests' use of political power to extract subsidies for themselves from the economy. "There simply isn't any other economic rationale."

"In 1987 EEOC's local field office wrote me a letter saying they had reason to believe I didn't have enough women 'food servers' and 'busers.' No woman had complained against me. So the EEOC advertised in the local paper to tell women whose job applications we had rejected—or even women who had just thought of applying—that they could be entitled to damages. Twenty-seven women became plaintiffs in a lawsuit against me. The EEOC interviewed me for hours to find out what kind of person I was. I told them in Sicily where I came from I learned to respect women. I supplied them with hundreds of pounds of paper. I had to hire someone full time for a year just to respond to EEOC demands. Six months ago I finally settled. I agreed to pay $150,000 dam-



R. Gaull Silberman, vice chairman, Equal Employment Opportunity Commission
Silberman says "race-norming" of aptitude tests was news to her, although her agency had been encouraging its use for a decade.

ages, and as jobs open up, to hire the women on the EEOC's list. Even if they don't know what spaghetti looks like! I have to advertise twice a year even if I have no openings, just to add possible female employees to my files. I also had to hire an EEOC-approved person to teach my staff how not to discriminate. I employ 12 food servers in these two restaurants. Gross sales, around $2 million. How much did it all cost me? Cash outlay, about $400,000.

What the government's done to me—devastating. I wouldn't wish it on my worst enemy."

—Thomas Maggiore,
Owner of Tomaso's and
Chianti restaurants,
Phoenix, Ariz.

Economists break the cost of regulation into three parts:

Direct Costs: the EEOC's outlay of taxpayers' money in regulating and suing Thomas Maggiore, and the money he spends in fines, damages, filling in forms, advertising and otherwise complying with EEOC demands.

Indirect Costs: the time and overhead Maggiore has to divert from other activities to argue with the EEOC, do the continuing paperwork, sit through sensitivity training, reorganize his workplace and his methods of operating.

Opportunity Costs: what Maggiore might have achieved if he had been allowed to invest his time and money as he wanted; the loss to the Phoenix-area economy if he gives up and goes back to Sicily.

Remember: Thomas Maggiore is precisely the kind of small business person the politicians claim they want so badly to help.

Let's look at some numbers.

Direct Costs. One guess of private sector compliance costs for affirmative action: In 1977 Business Roundtable members spent $217 million complying with equal opportunity regulations. They employed 5% of the nonfarm work force; OFCCP regulations cover 42% of the private work-force, implying total costs of $1.8 billion. Adjusted for inflation, that's a current $4.2 billion.

Second guess: In 1981 a study by the Senate Labor & Human Resources Committee suggested compliance costs for the largest 500 companies of about $1 billion. That's $1.8 billion extrapolated over the OFCCP universe. Adjusted for inflation: $2.8 billion.

Neither of these figures includes the EEOC's impact, although it is by far the larger bureaucracy. But the guesstimates are in line with the rule of thumb developed by regulation-watchers from the Center for the Study of American Business at Washington University in St. Louis: Every dollar spent on regulatory enforcement inflicts about $20 in compliance costs. By FORBES' count, the federal government spent some $425 million on civil rights oversight in 1991, of which about $303 million appears to be directed at the private sector. Implied private-sector compliance cost: $6 billion.

To get an estimate of compliance costs in colleges and universities, FORBES turned to John Attarian, a writer and economics Ph.D. who has analyzed the budget of his alma mater, the University of Michigan. Under its "Michigan Mandate," the university is devoting much effort to the recruitment and retention of the "protected classes."

Attarian says about 2.5% of the University of Michigan at Ann Arbor's general budget appears to be devoted to this cause. This does not capture costs buried in department budgets, such as for recruitment. (Minor example: Advertising faculty posts in special minority-oriented publications costs over twice the usual rate.) Still, extrapolated across the estimated $164 billion spent on U.S. higher education in 1992, this suggests total compliance costs of $4.1 billion.

If the same relationship holds true for the $261 billion spent on public and private schools in 1992, their compliance costs would be $6.5 billion. Of course, the problems of schools are different from those of colleges. They may be worse. Busing for racial balance has reportedly caused some school districts to spend over a quarter of their budgets on transportation.

Quotas are just another excuse for the American academic establishment to eschew scholarship for social engineering. Thus, a long survey of "minorities in science" in the Nov. 13 issue of *Science* magazine reported that the National Science Foundation, which is supposed to be funding research, has spent a staggering $1.5 billion in the last 20 years on fostering black scientists. The magazine describes the results as "dismal."

State and local governments also face compliance costs—and they also inflict them on the private sector. New York State, for example, spent $10.5 million complying with its own and federal laws last year, and $7.5 million on "civil rights" enforcement. In 1990 state and local governments spent some $835 billion. Implied total expended on quota compliance and coercion, given New York's rate: $287 million. Additional private sector compliance costs, given New York's enforcement costs and applying CSAB's 20-to-1 rule of thumb: $2.4 billion.

Note that we include no estimate of what it costs the federal government to comply with its own regulations.

We like to be moderate.

Private-sector compliance costs are apparently much exacerbated by the federal enforcers' arbitrary and erratic behavior. Some rare case studies appeared in the September 1992 issue of the American Academy of Political & Social Science's journal *Annals*. One victim reported supplying documents nine times because the OFCCP kept losing them. Another, the National Bank of Greenwood, Ind.—$117 million assets, 138 staff, full- and part-time—was subject to a grueling and chaotic two-year audit, costing more than $100,000 and 4,000 staff hours, although no complaint had apparently been lodged against it. Later the bank was audited twice more, again apparently without any complaints being lodged. Typically, the Indianapolis-based Merchants National Corp., which has meanwhile taken over the National Bank of Greenwood, refused to allow its officers to talk about the experience.

EEOC Chairman Evan Kemp
Bush appointee, critic of quotas.

Total direct costs: $16.5 billion to $19.7 billion. Or about $300 per family of four. Compare it with the $20 billion of "infrastructure spending" Clinton has promised to kick-start the economy. And this is just the tip of the iceberg.

Indirect Costs are the part of the iceberg just under the water—easily-seen but involving no direct cash outlay.

"It takes me 50 extra hours to make every faculty hire because of the need to comply with affirmative action rules," says Professor Herbert London, formerly Dean of New York University's Gallatin Division, "even when I end up hiring the person I wanted to hire in the first place."

Naturally, this cost does not appear as a cash item in NYU's operating budget of $627 million, excluding the medical school. (The two-person affirmative action office costs just $172,000—or about $6.50 per full-time student—although a spokesman tells FORBES that over a hundred people deal with minority recruitment every day.) Nevertheless, the cost is real.

A measure of these indirect costs is provided by the single Ph.D. thesis FORBES found that investigated costs, by Peter Griffin, now assistant professor at California State University at Long Beach. Griffin's rarefied econometric analysis concluded that by 1980, OFCCP regulation had increased federal contractors' labor and capital costs by an average of 6.5%. (As compared with noncontractors—although actually their costs would also have been increased by EEOC requirements.)

The implications of this are substantial. OFCCP regulation covers about 42% of the civilian work force. The contractors' cost of labor alone exceeded $1.4 trillion. The minimum cost of quotas to them, based on Griffin's methodology: about $95 billion—1.7% of GNP.

And the cost to the federal taxpayer is heavy. In 1991, $211 billion was expended on federal contracts with non-government entities. The additional costs inflicted by affirmative action regulation that Griffin's work suggests this sum incorporates: some $13 billion.

Which is on top of the damage inflicted on the taxpayer by "set-asides," the reserving of some portion of federal work entirely for contractors from the "protected classes." About $10 billion of federal contract monies were channeled in this way last year. The premium paid is not supposed to go over 10% (although FORBES has heard of premiums as high as 25%). Additional quota tax: perhaps $1 billion.

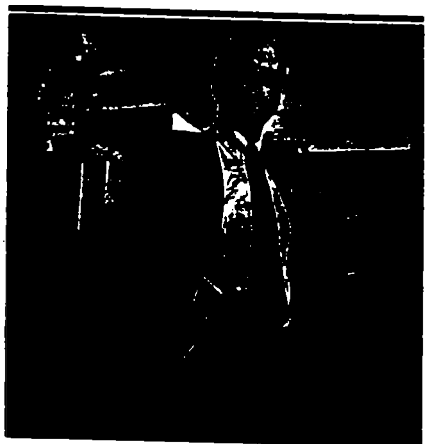
Ironic set-aside fact: The law is confused about this type of quota too. In Richmond v. Croson (1989), the Supreme Court ruled that many of the 234 state and local government set-aside programs were unconstitutional, unless actual discrimination could be proved. Local politicians, anxious to continue handing out the pork, instantly created a minor "disparity studies" industry to make the case that discrimination against minorities was widespread. In a detailed account in the January 1993 issue of *Public Interest* magazine, University of Maryland at Baltimore Professor George La Noue estimates that at least $13 million of taxpayers' money had been fed into this young industry by June 1992, with another $14 million commissioned by the federal Urban Mass Transit Authority alone. Atlanta spent $532,000 for a 1,034-page report coauthored by Ray Marshall, the Carter Administration's Secretary of Labor.

Expensive? Well, proving discrimination is hard work. Most localities have long been legally required to accept the lowest bid—a Progressive-era reform aimed precisely at patronage-hungry politicians. And, significantly, cities like Atlanta, which now want to claim they discriminated, have actually been under black political control for years.

Even more ironic set-aside fact: This type of quota has created another industry—corruption. A prime contractor can set up his black electrician, for instance, in "business" as a purchaser. The electrician needn't have credit or contacts with suppliers. He just takes 5% off the top. One "native American" contractor in Tulsa reportedly had blue eyes and an Irish name but had managed to join the Cherokee Nation of Oklahoma on the strength of an alleged great-great-great-great grandparent.

These abuses can only be checked by more supervision. But minority contractors have been quoted complaining the program is too bureaucratic already.

Astoundingly ironic set-aside fact: According to Professor La Noue, over one-half of the Small Business Administration's set-asides go to groups that are composed largely of first- or second-generation immigrants. He suspects the same is likely to be true for all set-asides. In Washington, D.C.—where an amazing 90% of the city's road construction contracts have been set aside—one of the largest beneficiaries has been the Fort Myer Construction Corp., owned by a family of Portuguese origin who qualify as Hispanics because they emigrated from Argentina.



Fred Lynch, Claremont McKenna College
White males are "invisible victims."

Absurdly, all immigrants who fall into the "protected classes" qualify for all U.S. quota programs. Which is a pretty clear indication that quotas are not about righting past wrongs at all, but about asserting political power over the economy.

A further indirect cost of the affirmative action system: litigation. (You thought massive regulation would preclude litigation? This is America!)

The number of discrimination suits in federal courts is rising astronomically—by 2,166% between 1970 and 1989, when some 7,500 were filed, versus an increase of only about 125% in the general federal caseload.

Significantly, suits about discrimination in hiring used to outnumber suits about firing. Today it's the reverse, by a factor of three or more. It's obviously absurd to suppose the same employer discriminates in firing but not in hiring. The civil rights frenzy has simply led to a more litigious, as well as politicized, workplace.

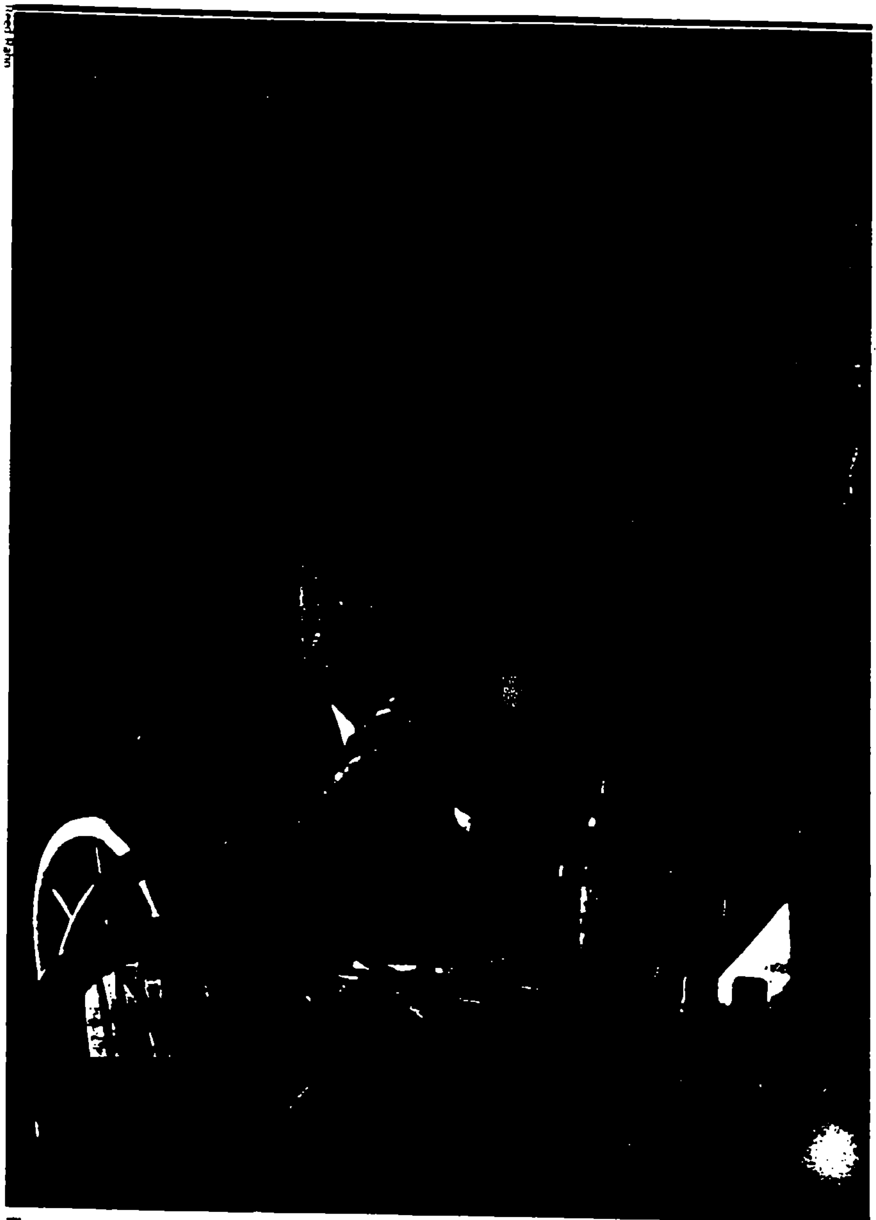
Example: Alabama state law required the Lamar County Board of Education to fire a black teacher after she failed a mandatory competency test five times during the three years allowed. She alleged discrimination because the test failed a disproportionate number of blacks. A judge reinstated her with three years' back salary.

And it's going to get much worse. Preliminary reports are that since the 1991 Civil Rights Act and the 1990 Americans With Disabilities Act (which few people yet realize is also a quota bill) filings have jumped some 30%. Both acts for the first time allow punitive damages, an explicit incentive to contingency-fee trial lawyers.

Opportunity Costs are the base of the quota iceberg, down in the murkiest depths. Unlike the direct and indirect costs of regulation, they don't show up in GNP statistics. They represent what GNP could have been if these more tangible costs had been spent differently—for job-creating investment, say, or for education. But these indirect costs are the most massive of all. For example:

Having the wrong people in the wrong jobs. Corporate America seems to have resigned itself to quotas as yet another tax. But they are a peculiarly debilitating sort of tax, levied not on the bottom line but on every phase of the corporation's activities, increasing inefficiency throughout. Most taxes are a burden to be shouldered. This is an enfeebling drug.

That affirmative action quotas lead to lowered standards is all but guaranteed by the fact that all standards are suspect to Equal Employment enforcers. "Many of these people believe there really is no such thing as job performance or productivity objectively defined, that it's really just a



Thomas Maggiore, restaurant owner, Phoenix, Ariz.
"I wouldn't wish this on my worst enemy."

matter of one's cultural definition or cultural orientation," says Frank Schmidt, a University of Iowa industrial psychologist. Increasingly, they have been able to impose this view on American business.

The civil rights revolution has also virtually aborted the use of tests devised by industrial psychologists, which in the 1950s promised to make employee selection a science. Tests came under attack because minorities typically scored lower on them. Today they are only used, if at all, after work-related validation studies that can cost millions of dollars.

Industrial psychologists, however, have gone on believing in their work. Schmidt and John Hunter of Michigan State University have produced numerous studies showing that hiring the able results in enormous productivity increases. Today, Hunter estimates that total U.S. output would be about $150 billion higher if every employer in the country were free to use tests and select on merit. That's about 2.5% of GNP.

Effect on morale. Poor hiring shows up not merely in poor decisions but also in poor morale. Quotas, like income tax (and unlike farm supports), have an immediate and dramatic impact on incentives.

Frank Schmidt put it like this: "When the less competent employees reach a critical mass, their lower performance standards become the standards of the organization." The longer-established employees who are equipped for the job abandon their old high standards and conform to the new, lower ones.

Schmidt and Hunter made no estimate of the impact of this phenomenon. But they have speculated that it lay behind the U.S. productivity stall of the 1970s, as the first effects of the war against testing were being felt.

Misallocation of resources. Monies expended to meet the costs of affirmative action cannot be spent on research and development and plant modernization. The effect of this is cumulative: The growth path of the economy diverges, permanently and increasingly, from its potential. Thus we estimate that an extra $113 billion in direct and indirect costs have been inflicted on the economy annually since 1980. A standard calculation converts this into an estimate of GNP shortfall because of affirmative action: about 1.5 percentage points by 1992.

GNP in 1991 was about $5.7 trillion. The total shortfall quotas may already have caused comes to some 4%. That's well over $225 billion, money that could buy a lot of social programs. Or finance a good deal of job-creating investment.

So quotas cost a lot. But do they do any good at all?

Quotas have obviously failed to prevent continuing catastrophe in much of black America. Prevailing taboos make this subject difficult to discuss. But the distressing facts are powerfully summarized in a remarkable new book, Jared Taylor's ***Paved With Good Intentions: The Failure of Race Relations in Contemporary America*** (Carroll & Graf). In 1950 only 9% of black families were headed by a single parent; in 1965, 28%; now, fully half. In 1959 only 15% of black births were illegitimate; in 1992, 66%. One in four black men in their 20s is either in jail, on probation or on parole. Clearly, affirmative action has done nothing to reverse the dismal trends.

Quotas have not decisively improved

overall black employment. "Despite all the controversies surrounding affirmative action," says Queens College Professor Andrew Hacker, a supporter of quotas, in his bestselling *Two Nations: Black and White, Separate, Hostile, Unequal*, "fewer blacks now have steady jobs of any kind and their unemployment rates have been growing progressively worse relative to those recorded for whites."

Quotas' effect on black incomes appears at best mixed. Between 1970 and 1990 black median family income, adjusted for inflation, crept snail-like from \$21,151 to \$21,423. But the proportion of black families earning above \$50,000 jumped sharply, from about 10% to nearly 15%. Dragging down the median: the increase in black families receiving below \$15,000, now nearly 40%. So quotas may have helped create a black middle class (although educated blacks might have done well anyway; after all, the proportion of white high income families also rose in this period). But the black poor have not benefited.

Quotas in colleges have not prevented the gap between black and white college participation from widening in the 1980s. By 1976 some 22.6% of black 18-to-24-year-olds enrolled in college, compared with 27.1% of whites. Thereafter black participation declined, then recovered. In 1990, 25.4% blacks enrolled, but meanwhile white participation had grown to 32.5%.

And although crude enrollment numbers are dear to the hearts of college admissions officers, they conceal tragic differences in attrition. For example, only 37.5% of blacks enrolling at Berkeley in 1983 had graduated five years later, compared with 72% of whites. Critics argue that top colleges burn out black students by irresponsibly recruiting them to fill quotas, when they could be successful at less high-pressure schools.

Quotas may have improved the status of women—or they may not. It's easiest to show that women have gained in the last decades—ironic, because their plight was hardly as serious as that of blacks, with whom they are now competing. Women's share of professional degrees grew from 2.7% in 1960 to 36% in 1990, and their average earnings as a percentage of men's has increased from 61% to 72% over the same period.

But quotas may not be responsible. Female participation in the work force has fluctuated widely for generations, correlated with demographic factors like marriage and fertility rates. For example, the Hoover Institution economist (and FORBES columnist) Thomas Sowell has noted that women earned 17% of Ph.D.s in 1921 but only 10% in the early 1960s. Amazingly, as long ago as 1879 women constituted 40% of all college faculty and administrators. Many of these colleges were women-only, but they

University of Chicago's Richard Epstein
Just give them the money.

could still be highly competitive: In 1902 the proportion of women listed in *Who's Who* was more than double that in 1958.

This problem of apportioning credit bedevils the whole quota debate and, indeed, the entire subject of government-mandated social change. Looking back on the 1964 Civil Rights Act and its controversial enforcement, the American Enterprise Institute's Charles Murray, author of *Losing Ground* and *In Pursuit*, offers this startling thought: "There's hardly a single outcome—black voting rights, access to public accommodation, employment, particularly in white-collar jobs—that couldn't have been predicted on the basis of pre-1964 trend-lines." That's pretty devastating. It suggests that we have spent trillions of dollars to create an outcome that would have happened even if the government had done nothing.

From an economic standpoint, quotas work rather like an older form of American neosocialism: price and wage controls. They may seem to produce the desired result. But they could equally well just be simulating it, or even smothering it.

Meanwhile, of course, the economy suffers.

It may be that before America can talk rationally about race, the generation that remembers segregation will have to die off. And we're not talking about liberals. FORBES asked Gary Becker, 62, what he thought would be the ideal public policy in this area.

Becker: I prefer to pass on that one. I have views on it, but I don't want to talk about it at this moment.

Oh. Why not?

Becker: Well, let me just make that judgment. I prefer not to.

Becker's University of Chicago colleague Richard A. Epstein, 49, seems to be less nervous about his popularity in the Faculty Club. His book *Forbidden Grounds: The Case Against Employment Discrimination Laws* argues that the modern civil rights laws are flawed to their heart because in negating freedom of association they have inexorably led to government coercion that threatens markets and, ultimately, liberty.

"At bottom are only two pure forms of legislation— productive and redistributive," Professor Epstein argues. "Antidiscrimination legislation is always of the second kind. The form of redistribution is covert; it is capricious, it is expensive and it is wasteful."

And Epstein makes the key economic point: If we want to subsidize a "protected class," he writes, it can be done more efficiently by just giving grants.

"I have a dream," Martin Luther King Jr. said 30 years ago, "that my four little children will one day live in a nation where they will not be judged by the color of their skin, but by the content of their character."

As bean-counting has displaced merit in America, that day is further off than ever.

KAREN D. SHAW

Professional Experience

Institute for Strategy Development (ISD)
Washington, D.C.

1989 to the present:	President
1985-1989:	Executive Vice President

ISD is a privately-held company which specializes in information and consulting services for financial institutions. The company does not lobby for or represent any clients. It provides analytical and advisory services, focusing on legislative, regulatory, and public policy issues affecting financial services companies doing business in the U.S. Ms. Shaw's responsibilities include directing the company's staff of analysts and attorneys, providing consulting services, and preparing analyses for the company's various publications.

Because ISD does not lobby, its objectivity is widely respected. Ms. Shaw is frequently invited to testify on financial industry policy questions before Congressional committees and to appear on national media. In 1990, she served as a member of a U.S. delegation to an international forum on the financial services industry sponsored by a Japanese government agency associated with the Ministry of Finance. In 1991, she was invited to speak before a committee of the Japanese Parliament, where she testified on the need to bring integrity into the regulation of banking and securities markets in the U.S. and Japan. In 1992, she was a U.S. representative at the U.S.-Australia Investment Conference in Sydney.

Bank of America
San Francisco, California

1982-1985:	Vice President
1979-1982:	Assistant Vice President
1977-1979:	Research Analyst

Ms. Shaw was an officer of Bank of America, based first in San Francisco at the company's headquarters and then in Washington. In Washington, she represented the bank on Capitol Hill and before regulatory agencies. She advised various senior management committees and was responsible for assessing political factors affecting the bank's international loan exposure.

Education

University of California, Berkeley

1977: Doctoral Candidate (Political Science)
1976: M.A. (Political Science)

Wellesley College

1975: B.A., with honors (Political Science)

Massachusetts Institute of Technology

1973-1974: special student for year of graduate study

Professional Activities

Public Speaking

Ms. Shaw is a frequent speaker on topics affecting the financial services industry. In addition to presentations to Congress and other government agencies, she has spoken before such organizations as the American Bankers Association, the Association of Reserve City Bankers, the Association of Bank Holding Companies, the Consumer Bankers Association, the U.S. Savings and Community Bankers Association, the Conference of State Bank Supervisors, the Bank Administration Institute, the California Bankers Association, the Florida Bankers Association, the Massachusetts Bankers Association, the New York Savings and Community Bankers Association, the Brookings Institution, the American Institute of Certified Public Accountants, Associated General Contractors, Western Independent Bankers Association, and the National Association of Manufacturers.

Other Information

Ms. Shaw is a member of the board of Century National Bank. She is legally blind and participates in activities designed to improve access to financial services for the disabled. She lives in the District of Columbia.

Selected Publications

"Banking Musical Chairs," The International Economy, September/October 1992

"Finding the Silver Lining in the 1991 Bank Law," American Banker, February 1992

"Remembering the Antitrust Laws," The Bankers Magazine, January/February 1992

FIRREA: Implementation and Compliance, Warren, Gorham & Lamont, 1991 (with James C. Sivon and Mary Johannes)

"The Hidden Value in an S&L Charter," American Banker, September 1991

"How Would U.S. Competitors Solve U.S. Banking Problems?" The Bankers Magazine, May/June 1991

"Who Should Own the Bank of New England?" The Boston Globe, April 1991

"Sterile Reserves are Fertile Source of Funds for Deposit Insurance," American Banker, March 1991

"Banking on Branching," The Bankers Magazine, January/February 1991

"Fear is Driving FDIC, Banks into Embracing Bad Policy," American Banker, September 1990

"Effective Regulation of Bank Holding Companies," The Bankers Magazine, July/August 1990

"Adjusting to Regulators as Adversaries," American Banker, July 1990

"The Real Issue is S&L Policy, Not Keating," American Banker, December 1989

"Turning Risk into Reward," The Bankers Magazine, November/December 1989

"New-Age Banking will Require New-Age Thinking," American Banker, October 1989

"Advice to the Next Congress," The Bankers Magazine, March/April 1989

"Treasury's S&L Plan is Wide Reaching, Long Overdue," American Banker, February 1989

"Who's Insuring What for Whom: First Republic's Lessons," American Banker, April 1988

"Regulators are Wielding Ax When Finer Tool is Needed," American Banker, October 1987

"Competitive Equality Act May Disadvantage Banks," American Banker, September 1987

"Let the States Lead the Way to Expanded Powers," American Banker, July 1987

"Continued Inaction by Congress May Spur Banks to Drop Charters," American Banker, November 1986

"Implications of the Goldman-Sumitomo Deal," American Banker October 1986

"Bankers Under Siege," Butterworths Journal of International Banking and Financial Law, September 1986

"Tomorrow's Loophole: The No-Bank Bank," American Banker, July 1986

WERTHEIM SCHRODER
INVESTMENT SERVICES, INC.

EQUITABLE CENTER
787 SEVENTH AVENUE
NEW YORK, N.Y. 10019-6016

TELEPHONE 212-492-6423

TONY COELHO
PRESIDENT AND CHIEF EXECUTIVE OFFICER

TONY COELHO has been a Managing Director of Wertheim Schroder & Co. Inc., a New York-based international investment banking and securities firm, since 1989. He was elected to the firm's Executive Commitee in 1992, and also serves as President and Chief Executive Officer of Wertheim Schroder Investment Services, Inc.

He is a director of Circus Circus Enterprises, Inc.; ICF International, Inc.; Institute for Laboratory Medicine; Service Corporation International; Tanknology Environmental, Inc.; and United Medicorp, Inc. Mr. Coelho serves on Fleishman-Hillard Inc.'s International Advisory Board, and also serves on the board of directors of the National Foundation for Affordable Housing Solutions, the National Organization on Disability, the National Rehabilitation Hospital, and Very Special Arts. He is an Honorary Lifetime Director of the Epilepsy Foundation of America.

Mr. Coelho is a former U.S. Representative from California and Majority Whip of the House of Representatives. He was first elected to Congress from California's 15th District in 1978. From 1981 to 1987, Mr. Coelho served as the Chairman of the Democratic Congressional Campaign Committee. From 1986 to 1989, as the House Majority Whip, Mr. Coelho was the third-ranking member of the House Democratic Leadership. He served on the House Committees on Agriculture, Interior and Insular Affairs, and House Administration.

TONY COELHO

EQUITABLE CENTER
787 SEVENTH AVENUE
NEW YORK, NEW YORK 10019
(212) 492-6423

COLORADO BUILDING
1341 G STREET, N.W.
WASHINGTON, D.C. 20005
(202) 728-9034

PRESIDENT AND CHIEF EXECUTIVE OFFICER, WERTHEIM SCHRODER INVESTMENT SERVICES, INC.

(January, 1990–present)

Head of company which provides asset management services to Taft-Hartley funds, public and welfare funds, endowments, foundations, corporations and individual investors, both domestic and overseas.

MANAGING DIRECTOR, WERTHEIM SCHRODER & CO., INCORPORATED

(October, 1989–present)

Partner in a New York-based international investment banking, securities research, trading, and asset management firm. Also serves on the firm's Executive Committee.

MAJORITY WHIP, U.S. HOUSE OF REPRESENTATIVES

(December, 1986–June, 1989)

Third-ranking member of the House Democratic Leadership
First Whip popularly elected by Democratic House Members

CHAIRMAN, DEMOCRATIC CONGRESSIONAL CAMPAIGN COMMITTEE

(December, 1981--January, 1987)

Responsible for ten-fold expansion of fundraising efforts
Established the Harriman Communications Center, a multi-media communications and production center

MEMBER, U.S. HOUSE OF REPRESENTATIVES

(January, 1979–June, 1989)

15th District, California (San Joaquin Valley). Represented a largely agricultural and rural district while serving on the following committees:

Committee on Agriculture:
Subcommittee on Cotton, Rice and Sugar
Subcommittee on Livestock, Dairy & Poultry (Chairman Emeritus)

Committee on Interior and Insular Affairs:
Subcommittee on Water, Power & Offshore Energy Resources
Subcommittee on National Parks & Public Lands

Committee on House Administration:
Subcommittee on Accounts
Subcommittee on Elections

OFFICE OF CONGRESSMAN BERNIE SISK

Administrative Assistant, 1971--1977
Legislative Assistant for Agriculture, 1965--1971

CORPORATE BOARDS

Circus Circus Enterprises, Inc. (Las Vegas, Nevada)--Board of Directors
Condyne Technology, Inc. (Longwood, Florida)--Board of Directors
Fleishman-Hillard, Inc. (St. Louis, Missouri)--International Advisory Board
ICF International, Inc. (Fairfax, Virginia)--Board of Directors
Institute for Laboratory Medicine, Inc. (Miami, Florida)--Board of Directors
National Ventures, Inc, (Washington, D.C.)--Chairman of the Board
Service Corporation International, Inc. (Houston, Texas)--Board of Directors
Tanknology Environmental Inc. (Houston, Texas)--Board of Directors
Wertheim Schroder & Co., Inc. (New York, New York)--Board of Directors

AFFILIATIONS

Catholic University of America (Washington, D.C.)--Board of Regents
Center for American Politics and Public Policy at the University of California, Los Angeles--Chairman, Washington Advisory Council
Coelho Epilepsy Fund at the Epilepsy Foundation of America and the University of California at Los Angeles--Founder
Competitiveness Center of Hudson Institute (Indianapolis, Indiana)--Advisory Board
Congressional Awards Foundation (Washington, D.C.)--Board of Directors
Epilepsy Foundation of America (Landover, Maryland)--Honorary Lifetime Director
International Deafness Outreach, Inc. (Rochester, New York)--Board of Directors
International Planning and Analysis Center (Arlington, Virginia)--Board of Directors
Milken Family Foundations (Santa Monica, California)--Board of Directors
National Fish and Wildlife Foundation (Washington, D.C.)--Chairman's Advisory Council Member
National Foundation for Affordable Housing Solutions (Rockville, Maryland)--Board of Directors
National Organization on Disability (Washington, D.C.)--Board of Directors
National Rehabilitation Hospital (Washington, D.C.)--Board of Directors
Very Special Arts (Washington, D.C.)--Board of Directors

AWARDS AND HONORS

Independence Award, Westside Center for Independent Living, Los Angeles, California (1993)
Doutoramento Honoris Causa, Universidade Nova de Lisboa, Lisbon, Portugal (1990)
Doctorate of Humane Letters, Honoris Causa, Loyola Marymount University, Los Angeles, California (1987)
Doctorate of Humane Letters, Honoris Causa, Santa Clara University, Santa Clara, California (1987)
Stewart B. McKinney Memorial Award, Human Rights Campaign Fund (1987)
Cross of the Order of Prince Henry the Navigator, Republic of Portugal (1987)
Victory of the Human Spirit Award, National Rehabilitation Hospital (1986)
"Tony" Award for Public Service and Advocacy for People with Epilepsy, Epilepsy Foundation of America (1984)

EDUCATION

Loyola Marymount University, Los Angeles, California
Bachelor of Arts, Political Science, 1964
Student Body President, 1963-64

THE WHITE HOUSE

WASHINGTON

Pond

301-662-4843

~~[illegible]~~ ~~[illegible]~~ - Wlay arpt

Yerken Anderson

MD

Deaf

Deaf I. King Jordan

— Gallaudet - Prof

— West Assn of Deaf

West MD

Rep Bartlett

Dos

D

MA - Judy Chaney - D

TX - Jim Comstock Galligan - D

AR - Glen Anderson - (W/ d) D

~~[illegible]~~ - D

CA - Jorge Kaibos —

THE WHITE HOUSE

WASHINGTON

7/1

Pollo

Nat'l Fiesta Educativa Coalition ;

SAFE (Schools are for everyone)

Glen Anderson — no
Gallegos — no

~~Deaf~~

MEMORANDUM TO VERONICA BIGGINS, ANTONELLA PIANALTO

FROM: Paul Steven Miller

DATE: March 3, 1994

SUBJECT: NATIONAL COUNCIL ON DISABILITY and PRESIDENT'S COMMITTEE

I want to give you a heads up on two important issues which require attention and suggest ways of resolving them before they become more serious problems.

MICHELLE ALIOTO -- National Council on Disability [NCD]

Although the President sent forward the nomination of Marca Bristo, decisions on two other candidates for the NCD, MICHELLE ALIOTO and KATE WOLTERS, have still not been made by White House Counsel.[1] Decisions must be made on these candidates. ALIOTO in particular raises important political issues. She and her family are key players in San Francisco Democratic politics and are very active in Democratic fundraising. She is also very close to and a high priority several key persons on the Hill, including Senator Harkin who is on the confirming committee. Moreover, Alioto's daughter, Michela, works in Vice-President Gore's office. We simply need to close this out; the appointments were announced in May, almost 10 months ago.

NAMING VICE-CHAIRPERSONS OF THE PRESIDENT'S COMMITTEE ON EMPLOYMENT OF PERSONS WITH DISABILITIES [PCEPD]

Because of the fact that one candidate for Vice-Chairperson did not make it through the vetting process, and another candidate withdrew at the eleventh hour, the President announced only two of four Vice-Chairpersons for the PCEPD. I have received repeated questions about which current Vice-Chairperson will be removed and which will remain until the President comes forward with new candidates. Apparently, this issue needs to be resolved quickly as I was told there is an upcoming meeting or event of the PCEPD. My suggestion is that the President retain as Vice-Chairpersons in the interim time I. KING JORDAN (deaf president of Gallaudet University) and LENORE MILLER (a representative from organized labor). The Vice-Chairpersons who I recommend taking off the PCEPD would be CHAD COLLEY and COSTA NICHOLAS. Let me know what I can do to expedite a decision to resolve the situation.

cc: TOM SHEA

---

[1] The other candidates are Bonnie O'Day, who is just beginning the FBI background check, and Hughey Walker, whose appointment will be withdrawn due to the fact that he never got his forms in.

Efforts - others
cross-disciplinary

check precision

THE WHITE HOUSE

WASHINGTON

Disabilities

2 AA ; 1 NA

PA Self advocate - cognitive

~~Jo~~ DC ~~[illegible]~~ Competence - Rep

MA Post. polio

IL Hearing impaired

AZ Spinal ?

all interested

~~MA~~ Judy Chamberlin - mental health

July 26 ADA anniversary

THE WHITE HOUSE

WASHINGTON

	P	ST	R/E
John Kemp Amputee	I ~~Rep~~?	DC	
Audrey McCrimon Hearing impairment	D	IL	AA
Deborah Robinson Cognitive, Self-advocate	D	PA	AA
Ela Yazzie King Spinal	D	AZ	NA
Irving Zola Post polio	D	MA	—

THE WHITE HOUSE

WASHINGTON

Paul

- Lillian Roll's portrait

- psychiatric — Judy Chamberlain — ngt
  - Rae Unzicker
  Dem. party

- Glen Anderson AA

  Deaf
  Robin + Frame GOT
  U of AR, L Rock
  Gallaudet

- Jim - Comstock Gallagher

to Gary C.

Qs for Paul

1. ~~Tony Coelho~~

~~Laura Miller~~

2. Republicans?

Why?

MEMORANDUM TO SUSAN ENRIGHT, Office of Presidential Personnel

FROM: Paul Steven Miller PSM

DATE: April 24, 1994

SUBJECT: National Council on Disability -- Current Round of Appointments

---

Attached are the names and resumes of persons being considered for the next round of appointments on the National Council on Disability. Currently, there are five open positions on the National Council on Disability. I have enclosed information on four candidates. The person under consideration for the fifth open position is a self-advocate involved in the People First movement, and I have not yet completed my interview of that person.

Can we begin the process on these folks and I will complete the last one within the next couple of days. Thanks

Call me - Paul

634-9610

FILE

Ted

Pls. prepare but give to me — do not send.

T—

MEMORANDUM TO VERONICA BIGGINS

FROM: Paul Steven Miller

DATE: March 21, 1994

SUBJECT: National Council on Disability

AP?

- No Decision Yet on Michelle Alioto who was announced on May 7, 1993 by the President

AP?

- White House Assistance on Nominees for the National Council on Disability -- who is the point person to assist with the Senate confirmation process?
    - Facilitation with meetings with the Senate Committee Members
    - Scheduling Ethics Briefing for Commission Nominees

- Removal of Reagan/Bush Appointees to the National Council on Disability
    - disability community is pushing very hard for the resignation of all of the Reagan and Bush appointees

Tom Shea will produce letters

Tom

FYI - from Veronica

Peg

Dec. Disc.
Natl Coun. Disab.

THE WHITE HOUSE

WASHINGTON

April 14, 1993

MEMORANDUM FOR THE PRESIDENT

THROUGH: BRUCE LINDSEY, Director of Presidential Personnel

FROM: JANET BLANCHARD, Associate Director
TOM SHEA, Deputy Associate Director

RE: **NATIONAL COUNCIL ON DISABILITY**

I. BACKGROUND

The Council is responsible for promoting the integration, independence, and productivity of individuals with disabilities in the community, schools, the workplace and all other aspects of American life. In the fulfillment of this mission, the Council evaluates the effectiveness of federal government programs and statutes concerning individuals with disabilities. The Council has an annual budget of approximately $1.5 million and a full-time staff of eight.

II. DISCUSSION

There are currently seven available positions on the Council. The President recently approved the nomination of the following six individuals: Marca Bristo (D-IL) as Chair; Bonnie O'Day (D-MA); Hughey Walker (D-SC); Michele Alioto (D-CA); John Gannon (D-OH); and, Lawrence Brown (I-MD). This memorandum addresses the remaining available position.

III. RECOMMENDATION

We recommend that you approve the nomination of the following individual:

KATE PEW WOLTERS, Democrat of Michigan, to be a member of the National Council on Disability, vice Alvis Waldrep, Jr. Ms. Wolters is the Executive Director of the Steelcase Foundation, Grand Rapids, MI, a corporate foundation which issues community grants. She also serves as Chair of the Michigan Developmental Disabilities Council. Ms. Wolters has been disabled since birth.
Sponsor(s): Jim Blanchard; Paul Miller, Disabilities Outreach.

Approve: ________________________ Disapprove: ________________________

NATIONAL COUNCIL ON DISABILITIES
BACKGROUND INFORMATION

METHOD OF APPOINTMENT: **PAS** - Members of the Council are appointed by the President with the advice and consent of the Senate.

SENATE COMMITTEE REFERRAL: Nominations to the Council will be referred to the Senate Committee on Labor and Human Resources.

AUTHORIZING STATUTE OR EXECUTIVE ORDER: 29 U.S.C. § 780.

CABINET DEPARTMENT AFFILIATION: Independent.

COMPOSITION: The Council is composed of fifteen (15) members, who shall be appointed so as to be representative of handicapped individuals, national organizations concerned with the handicapped, providers and administrators of services to the handicapped, individuals engaged in conducting medical or scientific research relating to handicapped individuals, business concerns, and labor organizations. **At least five (5) members of the Council shall be disabled individuals, or parents or guardians of disabled individuals.**

TERM LENGTHS: Members of the Council shall serve for terms of three (3) years. Members may be reappointed and may serve after the expiration of their terms until their successors have taken office.

COMPENSATION: Members of the Council shall be entitled to receive compensation at a rate equal to the rate of basic pay for grade GS-18, including travel time, for each day engaged in the performance of their duties. In addition, while away from their homes or regular places of business in the performance of services for the Council, members shall be allowed travel expenses, including per diem in lieu of subsistence. Members of the Council who are full-time officers or employees of the United States, shall receive no additional compensation on account of their services on the Council except for compensation for travel expenses.

METHOD OF CHAIR SELECTION: The President shall designate the Chair from among the members of the Council.

CURRENT MEMBERSHIP:

Name	Title	Party	State	Term
FLACK, Anthony H.	Member	R	CT	9/17/94
RAETHER, Mary M.	Member	R	VA	9/17/94
RYAN, Shirley W.	Member	R	IL	9/17/94
ALLISON, Linda W.	Member	R	TX	9/17/93
BODRON, Ellis B.	Member	D	MS	9/17/93
SEGGERMAN, Anne C.	Member	R	CT	9/17/93
UNHJEM, Michael B.	Member	R	ND	9/17/93
WALSH, Helen W.	Member	R	CT	9/17/93
PARRINO, Sandra S.*	**Member**	**R**	**NY**	**9/17/92**
BROWN, Jr., Lawrence*	**Member**	**I**	**MD**	**9/17/92**
GANNON, John A.*	**Acting Chair**	**D**	**OH**	**9/17/92**
OBERLE, Jr., George H.*	**Member**	**R**	**OK**	**9/17/92**
WALDREP, Jr., Alvis K.*	**Member**	**R**	**TX**	**9/17/92**
MOBLEY COLLINS, Mary A.*	**Member**	**R**	**CA**	**9/17/91**
MULLER, Robert S.*	**Member**	**R**	**MI**	**9/17/91**

* denotes position(s) to be addressed.

BIOGRAPHICAL INFORMATION:

Member to be replaced:

WALDREP, JR., Alvis Kent (R-TX)
Education: Attended Texas Christian University. **Employment:** Member, National Council on Disability, 1982-Present; Founder, President and CEO, Kent Waldrep National Paralysis Foundation, 1985-Present; President and CEO, American Paralysis Association, 1982-1985; Founder, President and CEO, Kent Waldrep International Spinal Cord Research Foundation, 1979-1981; Assistant Sports Information Director, Texas Christian University, 1977-1979.