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THE WHITE HOUSE

WASHINGTON

July 26, 1994

**CELEBRATION OF THE FOURTH ANNIVERSARY OF
THE AMERICANS WITH DISABILITIES ACT**

DATE: Wednesday July 27th, 1994
TIME: 10:30 AM
LOCATION: The White House South Lawn
From: Mike Lux
Debbie Fine
through Alexis Herman

I. PURPOSE

The purposes of this event are:

- 1) to celebrate the fourth anniversary of the Americans with Disabilities Act (ADA) and implementation of the final phase of the law;
- 2) to make the connection between universal health coverage and the ADA, whereby guaranteed insurance for all Americans helps make the promise of the ADA a reality; and
- 3) to restate the importance of universal coverage, achieved by building on the current employer based system of shared responsibility.

II. BACKGROUND

This event, with approximately 3,000 participants, is the largest event we have yet done at the White House. Water bottles and fans will be provided for each participant, with the following printed on each: "INDEPENDENCE....SECURITY... With Universal Health Coverage and the ADA... Americans with Disabilities Act Anniversary 1994."

On Health Care and the ADA

According to the Bureau of Census there are 49 million people with disabilities. The anniversary of the ADA is called Independence Day for people with disabilities. People with disabilities and their families cannot become truly independent until they achieve economic independence. For many, their disability status -- compounded by the lack of available and affordable assistance -- renders them unable to get health insurance, and therefore hurts their job prospects. They are either not hired because of the insurance 'risk' they pose, or they opt not to work because they fear losing the health benefits they now get through Medicaid. Passage of a health care bill that achieves universal coverage with no pre-existing conditions and no life-time limits on care would eliminate a strong disincentive for employment, and

help make what the Americans with Disabilities Act aims to achieve into reality.

As a major piece of civil rights legislation, one of the goals of the ADA is to include people with disabilities in mainstream society. Universal health coverage extends this principle of inclusion in another form for people with disabilities.

Health care that provides long-term home and community-based care is also directly connected to achieving independence for people with disabilities. Many people with disabilities require some form of personal assistance services in order to work. Judy Heumann, Assistant Secretary at the Department of Education for the Office of Special Education and Rehabilitative Services, is an example of someone who has been able to develop an effective and successful career because of personal attendant services.

Those who fought to pass the ADA in 1990, say that the health care insurance piece was severely weakened with compromise language early on because of the sense that it was politically unrealistic. The community recognizes this administration's fight for universal coverage and its role in making health care reform a possibility; they are very grateful for this.

Health Care Activity

The disability community has been very active in the health care reform debate and in general has been supportive of the administration's approach to health care reform, although initially much of the community was more sympathetic to the single payer approach. The disability rights activists have been working to educate and activate the grassroots network.

Since May 2nd, when both the Bridge to Freedom March and Rally and your event with people with disabilities at the White House were held, the disability community has markedly stepped up its level of activity. You asked them to take the lead in the fight for health care reform, and they responded. They have been very active on Capitol Hill and are working hard to heighten the level of grassroots activity. They have also participated in the Health Security Express bus tour.

Some of the activities on health care this week include a "Real Health Care For All" rally on Capitol Hill organized by Senator Kennedy. The National Council on Disability also released a report on its findings on what the disability community wants from health care reform, which support the administration's approach to reform. Throughout this week, many of the participants of the White House event are going to Capitol Hill to lobby Members of Congress to pass a health care reform bill that achieves universal coverage, in addition to home and community based long term care and other issues of importance to the community.

The community should be acknowledged for accepting your challenge from May 2nd, and urged to do much more in the coming critical weeks -- both on Capitol Hill and in their communities.

Issues to Highlight on Health Care

The issues in the health care debate most important to the disability community are:

- universal coverage with no pre-existing conditions and no life-time limits;
- a defined comprehensive benefits package; and
- home and community-based long-term care, with personal assistance services.

Two aspects of the Health Security Act that the disability community considered critical and that they have pursued on Capitol Hill are:

- A broad range of personal assistance services will be available to children and adults with severe disabilities, through the home and community based long term care. Personal assistance services has been the primary goal for the disability community because it is identified as the mechanism that allows people with disabilities to participate in society.
- Tax credits for employees with disabilities who require personal assistance with daily tasks.

On the ADA This Year

As you know, the ADA, signed into law in 1990, eliminates discrimination in access, employment, transportation and communications for Americans with disabilities. This year marks the fourth anniversary of enactment of the Americans with Disabilities Act and implementation of the final phase of the law -- which requires small businesses that employ fifteen or more employees to comply with the employment provisions of the law. This will affect an additional 400,000 private businesses and 100,000 organizations and non-profits this year, amounting to a total of two million businesses covered by the ADA. (Businesses with 25 or more employees were required to comply by July 26, 1992.)

According to the United Cerebral Palsy Associations 1994 ADA Report Card on America, employment of people with disabilities is lagging behind in both full and part time jobs and in perceived commitment from employers. Some cite the small business requirement as being the most important because it opens the door to job opportunities for people with disabilities in small businesses, which according to the Dole Foundation employ 86% of America's workforce.

Furthermore, by making businesses accessible for customers with disabilities, UCPA cites that there has been a 12% increase in customer base in the retail and hospitality industry alone.

History of the ADA

The passage of the ADA was driven by a growing realization that government was spending far too much on custodialism and medical and income support in ways that perpetuated the isolation and dependency of people with disabilities, while spending far too little on measures that would enable people with disabilities to live productively and independently.

July 26, 1990: The ADA was signed into law.

January 26, 1992: Public accommodations were required to have facilities accessible. Local municipalities and state governments were required to be accessible.
Paratransit services were required.

July 26, 1992: Businesses employing 25 or more workers were prohibited from discrimination against qualified individuals with disabilities in all aspects of employment.

July 26, 1993: Telephone relay services were required at all times in all states. Some transit and commuter stations were required to comply with some exceptions extended up to 20 years.

July 26, 1994: Small businesses employing fifteen or more employees must comply with the ADA employment provisions.

Some of the transportation provisions are phased in until 2010.

Issues of Concern with the Administration and Enforcement of the ADA

Department of Justice: Throughout the last two years, disability rights groups and Members of Congress have expressed concerns about limited resources dedicated to ADA enforcement that have resulted in an inability to investigate every complaint received against public accommodations.

Department of Transportation: The Department of Transportation recently extended the date by which the Washington D.C. metro system had to comply with the ADA by 6-12 months. Currently many of the metro stations have platforms without any system that signals the edge of the platform for blind people (i.e. building in a truncated dome at the edge of all platforms). The leadership of the disability community has perceived this as "backing away" from the ADA. A meeting with disability leaders and Secretary Pena is scheduled for Tuesday, July 26.

Reinventing Government: The ADA is often cited by the administration as an example of unfunded mandates. The disability rights community views this as a negative definition of the ADA, and continue to argue that "unfunded mandate" is a mis-classification for civil rights legislation.

Political Background on the Disability Community

With the signing of the ADA in 1990, George Bush and the Republican Party got a lot of credit in the disability community. Although there were many Democratic Representatives and Senators who worked very hard to pass the ADA -- they were not recognized for their efforts at the Bush signing ceremony. (Democrats did not even have reserved seats, while the Republican Members of Congress did.)

The politics of the disability community are complicated and often volatile. During the campaign, leaders on both the national and the grassroots level were periodically disappointed

with the perceived lack of inclusion of people with disabilities in speeches and events. There have also been issues around personnel, with leaders in the community feeling we haven't done a good job of placing people with the disabilities into jobs. The administration has increasingly reached out to the community on several issues, including health care, which has resulted in a very good relationship with the community. This is the fourth Presidential event, Mrs. Clinton has participated in several health care events with the community, and Mrs. Gore is viewed as a hero in the mental health and developmental disability community.

We would also note that this community is particularly sensitive to being treated differently from others and to any hint of being patronized. Describing people with disabilities as any more "courageous" or "inspirational" than anyone else should be avoided, as should people being described as "frail" or "fragile". The phrase "shackles of a wheelchair" is another one that definitely sets people off.

Statistical Background

Following are some relevant statistics:

- While 15% of people with no disability are without coverage; 35 % of people with disabilities (including severe and non-severe) are without coverage. (Bureau of Census 1/94)
- Due to a variety of physical, mental and emotional conditions, an estimated 49 million noninstitutionalized Americans have a disability (20%). Of these persons, 24 million have a "severe" disability. (Bureau of Census 1/94)
- Severe disabilities reduce employment chances. Those with disabilities constituted 13% of all employed persons; those with a severe disability comprised 3%. Although having a less than severe disability does not have a large effect on one's chance of being employed, having a severe disability does. Among person 2-64 years old, 81% without a disability and 76% with a disability that was not severe were employed. However, just 23% with a severe disability worked. Data show that persons with a disability -- particularly a severe one -- earn less than those without one. (Bureau of Census 1/94)
- According to the Dole Foundation, two-thirds of Americans with disabilities between the ages of 16 and 64 are not working. The cost to America is estimated \$200 billion dollars annually in private and public payments and an additional \$100 billion in unrealized wages and taxes.

III. PARTICIPANTS

From the White House:

The President

The Vice President

Hillary Rodham Clinton

Mary Elizabeth Gore

From the Administration: (None have speaking roles.)

Attorney General Reno

Secretary Pena

Secretary Riley

Secretary Shalala

Secretary Jesse Brown

Dr. Lee Brown, Director of the Office of National Drug Control Policy

Deval Patrick, Assistant Attorney General for Civil Rights

Judy Heumann: (HUMAN)

Assistant Secretary for the Office of Special Education and Rehabilitation Services at the Department of Education. She is on stage because of her significant contribution to passage of the ADA, rather than because of her position in the administration. She is a great example of someone with a disability who was able to develop a successful career because of personal assistance services. She has been a long-time, loyal supporter of yours, and was a key advisor to us during the campaign.

NOTE: Of the above mentioned representatives of the administration, only the Attorney General, Secretary Pena and Assistant Attorney General for Civil Rights have enforcement responsibilities of the ADA. The others have technical assistance and education responsibilities.

From the Community (None have speaking roles):

Marca Bristo: She was recently confirmed as Chair of the National Council on Disability, although she has not yet been sworn in. She has been a longtime ADA and health care activist, as well as a strong supporter of the administration.

Judi Chamberlin: She works at the National Empowerment Center in Lawrence, Massachusetts and leads the psychiatric survivors movement in Boston. She was very active in the ADA movement and continues to be very active now in the health care reform debate.

Brian Clukey: He is the President of People First of Northern Virginia, who recently chaired a 700 person People First national conference. People First is an organization of citizens with developmental disabilities who are learning to advocate for their rights and become actively involved in their communities. He attended the May 2nd health care event with people with disabilities, and is active in the health care reform debate. He works at a Washington D.C. law firm in a support capacity.

Tony Coehlo: Chair of the President's Committee on the Employment of People with

Disabilities. As you know, he has epilepsy and his struggle with the disease was a major factor in influencing his career. He introduced the original version of the ADA in the House, and after leaving Congress was a leader in the campaign for its passage. We would note that the President's Committee took a lead role in helping organize and fund this event. They have devoted tremendous staff resources to developing the invitation list and sorting through problems that have arisen with the list. They are also providing staff to assist at the gate for the event.

Justin Dart: As you know, he is the former Chair of the President's Committee on the Employment of People with Disabilities. He and Pat Wright are thought of as the two key champions responsible for passage of the ADA. He is a life-long Republican and friend and appointee of President Bush, but he is one of your strongest supporters on health care and has invested significant resources into the debate via existing coalitions and the DNC. You have met him several times.

I. King Jordan: He is currently President of Gallaudet University, and is the first deaf president of Gallaudet. He was a key player in the passage of the ADA. He participated in the meeting you had in honor of the ADA last year, and you also met him at your speech to Gallaudet earlier this year.

Rebecca (Becky) Ogle: (OH-GUL) Director of Project Accessibility at NAMES, and Co-chair of The Real Health Care For All Campaign, which is the coalitional grassroots network. She was Disability Access Coordinator for the Inaugural.

Paul Schroeder: (SHRAYDER) Director of Governmental Affairs for the American Council of the Blind. He was active in working for passage of the ADA and continues to be active in the fight for health care reform. He is also working on the National Information Infrastructure in the disability community.

Patrishia (Pat) Wright: She is Director of Government Affairs at the Disability Rights Education and Defense Fund. She and Justin Dart are considered the key champions of passage of the ADA; she is sometimes referred to as the mother of the ADA.

From Congress: (No speaking roles)

Representative Hamilton Fish (R-NY): He was named by Congressman Hoyer as the most helpful Republican of those who are still in Congress. (The main Republican floor manager of the ADA was Steve Bartlett, who is currently mayor of Dallas, Texas.)

Speaker of the House Foley (D-WA)

Senator Tom Harkin (D-IA): He was the chief Senate sponsor of the ADA bill.

Senator Orrin Hatch (R-UT): He managed the bill for the minority in the Senate, and was named by Harkin as the most helpful Republican in passage of the ADA.

Representative Steny Hoyer (D-MD): He was the chief sponsor of the ADA bill in the House.

Majority Leader George Mitchell (D-ME).

Members of Congress Seated in the Audience

Chairman Edward Kennedy (D-MA)

Senator Howard Metzenbaum (D-OH)

Senator James Jeffords (R-VT)

Representative Don Edwards (D-CA)

Representative Major Owens (D-NY)

Chairman Jack Brooks (D-TX)

Representative Bill Goodling (R-PA)

Representative Steve Gunderson (R-WI)

Chairman Bill Ford (D-MI)

Representative John Lewis (D-GA)

Chairman Joseph Moakley (D-MA)

Representative Jerrold Nadler (D-NY)

Representative Alan Mollohan (D-WV)

The Audience

The audience is comprised of approximately 3,000 disability rights advocates from all over the country, approximately 30 political appointees with disabilities, and approximately 30 key agency and department personnel who run disability related programs.

IV. PRESS PLAN

This event will be open to the press. An extensive list of disability specialty press have also been invited. Following the event, the participants from the community on stage and approximately 12 previously identified leaders from key states will be available for interviews by all press, including regional and specialty. All of those available for interview plan to underscore the importance for health care reform that achieves universal coverage for successful implementation of the ADA.

V. SEQUENCE OF EVENTS

- You will proceed to the Map Room from the Oval Office following completion of the telephone call to Dr. Glenn Anderson, to join the Vice President, Mrs. Clinton and Mrs. Gore for a logistics briefing.

- You will all proceed to the Diplomatic Reception Room to greet the stage participants.
- Members of Congress will be announced onto stage, followed by members of the Cabinet, followed by disability rights leaders.
- You, the Vice President, the First Lady and Mrs. Gore will be announced onto stage.
- Mrs. Clinton will welcome the participants, recognize the Cabinet, make remarks and introduce Mrs. Gore.
- Mrs. Gore will recognize the disability rights leaders, make remarks, and introduce the Vice President.
- The Vice President will make remarks and introduce you.
- You will recognize Members of Congress present and deliver remarks.
- You will exit the stage and work the ropeline.

VI. REMARKS

Speech to be provided by David Kusnet.

Moffett

7/26/94, 4pm

To: Distribution

From: David Kusnet (ext. 65705)

Re: Draft for disabilities/health care event

Here's my draft. Please let me know if it is OK or if changes are needed.

7/26/94, 4pm

**The President of the United States
Americans with Disabilities/Health Care Event
July 27, 1994**

Introduction/Acknowledgements

o This morning, I want to thank the Members of Congress -- from both Houses and both parties -- who led the fight to pass the Americans with Disabilities Act. From the House of Representatives: Speaker Foley, Majority Leader Gephardt, Hamilton Fish, Steny Hoyer, and Tony Coelho, who now serves as Chair of the President's Committee on the Employment of People with Disabilities. And from the Senate: Majority Leader Mitchell, Tom Harkin, Orrin Hatch, [Edward Kennedy], and [Robert Dole].

o I want to pay tribute to my predecessor, President Bush, who signed the Americans with Disabilities Act into law, four years ago yesterday.

o I want to introduce three young people from Gallaudet University, who are part of one of the most important initiatives in our Administration. They are completing their training in our national service program, Americorps. They will help reclaim the natural beauty of the Chesapeake Bay. And --- together with more than 20,000 members of Americorps -- they will help reclaim our sense of national community.

o And, most of all, I want to honor the members of the disability community who did the hard work at the grassroots to write a proud new chapter in the history of civil rights in America.

Americans with Disabilities Act

Today, we celebrate a milestone on freedom's road. And we rededicate ourselves to continuing our journey to an America without barriers to achievement, where every man, woman, and child can reach the fullest of their God-given potential.

For 218 years, America has defined itself by tearing down the barriers to opportunity and opening the doors of inclusion. Like every civil rights law in our history, the Americans with Disabilities Act is not a hand-out or a burden. It stands for what is best in our heritage: empowering people to build better lives for themselves.

In that tradition, as your President, I pledge to see that the Americans with Disabilities Act is fully implemented and aggressively enforced in the schools, in the workplaces, in government, and in public places.

And I want you to know that I am proud to declare my dedication to the vision and the values of the disability rights movement. It is high time to move from exclusion to inclusion, from dependence to independence, and from paternalism to empowerment. Your vision is at the heart of my vision for America. We must be about helping people to seize the opportunities of a changing world is at the heart of my vision for America.

When we tear down the barriers to achievement for any American, we open new opportunities for every American. For business, the Americans with Disabilities Act means qualified workers, loyal customers, and higher profits. For our nation, it means fewer persons on welfare and more taxpayers. And, for every citizen, it means building an America whose practice comes closer to its promise.

It is more urgent than ever to tear down the barriers to achievement. We are hurtling into the global economy, where ideas and investment cross national boundaries in a microsecond. The only asset a nation can call its own is the strength and the skills of its people. We must not deny ourselves the enormous energy and the creative genius of the 49 million Americans with disabilities. Tearing down the barriers to achievement is not only a moral imperative. It is a practical necessity.

Our Administration is committed to being the most inclusive in history. I have appointed more than 44 outstanding people with disabilities to important jobs, not because of their disabilities but because of their abilities. With me today is Judy Heumann, Assistant Secretary for the Office of Special Education and Rehabilitative Services at the Department of Education. She had to fight to get her first job as a teacher; she has fought for disability rights for her entire life; and she is fighting for the future of every child. She is a wonderful example of what the disability rights movement is all about.

The Need for Universal Health Coverage

In spite of everything that we do, the Americans with Disabilities Act could remain a dream deferred because we have a health care system that discriminates against people with disabilities. We can make it easier for people with disabilities to find jobs and travel to them. But the lack of health insurance will still discourage too many people with disabilities from finding new jobs or better jobs, and it will keep too many depend on welfare and Medicaid. This is the last major barrier to inclusion and independence for people with disabilities. And together, we will tear down that barrier.

Five years ago, the sponsors of the Americans with Disabilities Act decided to drop health care reform from the

original draft. They knew it would be delayed for years if they took on the necessary but difficult issue of health care reform.

Now, we must finish the job. We stand at a decisive moment in the fight for health coverage for every American. And you can make the difference. You know as well as anyone how the health care system is failing people with disabilities, and failing us all, by making us less secure and less productive than we must be. You know as well as anyone how to fight for fundamental change. You know as well as anyone why standing still means losing ground, and why half measures aren't good enough.

If we do nothing, we condemn people with disabilities and the great American middle class to lifetimes of insecurity and anxiety. And if we settle for half measures, we know what the consequences will be: squeezing older Americans by cutting Medicare, doing a little to help the poor, and doing nothing to help the middle class.

Make no mistake about it: the only way to guarantee health security for the middle class and for people with special needs is to guarantee universal coverage by law. And the only way to get universal coverage is through shared responsibility for employers and employees. It already works for most families and for most companies, large and small. For the past two decades, it has worked in the state of Hawaii. There, the number of middle class people without insurance has declined dramatically. Unemployment has fallen. Insurance costs for small business have decreased. And families pay less for health insurance than almost anywhere else.

Conclusion/Call to Action

It can be done. And I need your help. We are here today because you have made history before. I am asking you to make history again.

When I met with a group of disability rights activists here at the White House on May 2nd, I asked the disability community to lead the fight for health care reform. Over the past two months, you have answered the call. And now, as the moment of decision approaches, I am asking you to do even more.

This afternoon, go to Capitol Hill and tell Congress that now is the time to guarantee health security for all Americans. In the days ahead, as you go back to your communities, never forget that you are carrying on your shoulders not only your own cause but the cause of others as well. Together, we can build an America without barriers to achievement, an America where all Americans have independence, security, and dignity.

UNIVERSAL COVERAGE

means

REAL INDEPENDENCE

Americans with Disabilities Act Anniversary 1994

AMERICANS WITH DISABILITIES ACT

1994

REAL HEALTH CARE REFORM

1994

Independence and Security for All Americans

We've Come This Far....

*Let's Finish the Job with Universal Coverage
for All Americans*

Americans with Disabilities Act Anniversary

1994

Americans with Disabilities Act and Universal Health Care

means

Independence and Security for All Americans

ADA Anniversary 1994

Real Independence

means

Real Health Care Reform

SUPPORT UNIVERSAL COVERAGE!

Americans with Disabilities Act Anniversary

1994

We've Come a Long Way...But the Job's Not Done...

ENACT UNIVERSAL HEALTH CARE NOW!

Americans with Disabilities Act Anniversary 1994

INDEPENDENCE....SECURITY

Americans with Disabilities Act Anniversary 1994

UNIVERSAL COVERAGE



ADA

EXECUTIVE OFFICE OF THE PRESIDENT

02-May-1994 09:22am

TO: (See Below)

FROM: Kathy McKiernan
Office of the Press Secretary

SUBJECT: Fact Sheet for WH Press on Pres Remarks to Disabili

PRESIDENT CLINTON ADDRESSES PEOPLE WITH DISABILITIES
Monday, May 2, 1994

President Clinton will address approximately 125 members of the disability community in the East Room today and outline for them how people with disabilities will benefit under the President's approach to health care reform.

Also on Monday, the disability community has organized a Washington march and rally entitled "Bridge to Freedom," to underscore the importance of health care reform. Between 1500 and 2000 people with disabilities, and family, friends and advocates for people with disabilities, are expected to participate. The group is convening at Arlington Cemetery and marching to the Lincoln Memorial for the rally. A letter from the President will be read at the rally.

At the White House today, the President will be joined on stage for his remarks by Tony Coehlo, Chair of the President's Committee on the Employment of People with Disabilities; Justin Dart, former Chair of the President's Committee on the Employment of People with Disabilities; and Kate Miles, the mother of a son with multiple disabilities and a tireless advocate for long-term care and health care reform. Kate's family, husband Tom, daughter Kimberly and son Robby, will also be in the audience.

Tony Coehlo will speak first, followed by Kate Miles and Justin Dart. Next, Stephanie Thomas of ADAPT and Denise Figueroa, President of NCIL, will present the President with a book of signatures in support of health care reform from all those who are participating

in today's march and rally. Following the presentation, the President will speak.

Members from the following groups will be in the audience at today's event:

American Disabled for Attendant Programs Today (ADAPT): ADAPT is a grassroots disability rights organization headquartered in Denver with approximately 5,000 members in 33 states;

National Council on Independent Living (NCIL): NCIL is a national membership association of 400 local not-for-profit corporations known as Independent Living Centers;

Consortium of Citizens with Disabilities (CCD):
CCD is a Washington based coalition of more than 100 national consumer, advocacy, provider and professional organizations, which advocates on the behalf of people of all ages with physical and mental disabilities and their families.

Attached are: a copy of the President's letter to be read at the rally and a fact sheet "The Health Security Act: Americans with Disabilities."

-30-30-30-

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