

THE WHITE HOUSE

WASHINGTON

Robby Way
2:30 P.M.

July 27, 1993

MEMORANDUM FOR THE PRESIDENT

FROM: Mike Lux

SUBJECT: Addendum to Briefing for Meeting with Disability Leaders

The following changes have been made on your 2:45 PM meeting with leaders from the disability community. Roy Neel will now begin the meeting at 2:30 PM, following the agenda below. I will brief you at 2:35 PM, and you will join the meeting in the Roosevelt Room at 2:45 PM. You will begin by placing a call to Frank Harkin, Senator Harkin's deaf brother.

You should also note one correction: Bobby Simpson has not yet been announced as Commissioner of the Rehabilitation Services Administration as listed in your briefing. He is currently the head of the Arkansas Rehabilitation Services Administration.

BACKGROUND

On July 26, 1993, TITLE IV of the Americans with Disabilities Act came into effect, requiring that all telephone carriers nationwide provide relay services for customers who are deaf, hard of hearing, or speech impaired. This is facilitated through a Text Telephone device ("TTY" -- the Y has been added to TT to avoid confusion, as TT is short for toilet in conversational American Sign Language.) At the time the ADA was passed, only six states had established relay systems, and even those in existence were not always of high quality.

To demonstrate this communications breakthrough, you will be phoning Senator Harkin's brother Frank, who is deaf, and lives in Cummings, Iowa. You will be phoning Frank Harkin through the Federal Relay System (although the link will have already been made when you enter the Roosevelt Room.) There will be an operator translating your speech into text, and then translating Mr. Harkin's answer when it is received back. This process causes a delay effect - much like consecutive translation with a foreign Head of State - so it is important to pace yourself carefully. When you make a statement, the operator types the

statement into the TTY device, which then displays the statement for Mr. Harkin. He will then write out his response, which will then be read back to you. Since this conversation will take place over speaker-phone, it will provide a graphic demonstration of how convenient it now is to communicate with hearing or speech impaired persons.

SEQUENCE OF EVENTS

- Roy Neel opens the meeting
- Introduction of all Presidential appointees with disabilities who are in attendance; introduction of Senator Harkin and Congressman Hoyer.
- Kathy Way from Domestic Policy Council will make remarks on Domestic Policy Council's work on disability policy; there will be questions and answers until the President arrives.
- The President arrives and makes the call to Frank Harkin.
- The President ends call and makes opening remarks.
- Presentation by several members of the disability community.
- The President makes closing remarks and departs.
- Roy Neel thanks people for coming and closes the meeting.

Harkin speaks →

THE WHITE HOUSE

WASHINGTON

July 26, 1993

MEETING WITH DISABILITY LEADERS

DATE: Tuesday July 27, 1993
LOCATION: Roosevelt Room
TIME: 2:45 PM
From: Alexis Herman
Mike Lux

I. PURPOSE

You will be meeting with leaders of the disability community most of whom have also been supporters of your campaign and administration. Some of the people in the room are also Presidential appointees. The purposes of the meeting are to:

1. Allay concerns in the disability community about our administration's commitment to their issues.
2. Give members of Congress who are close allies to these groups the assurance we take this constituency seriously (Senator Harkin and Congressman Hoyer will be at the meeting.)
3. Get their support for our reconciliation package and health care reform.
4. Commemorate the third anniversary of the Americans with Disabilities Act (ADA), which was Monday, July 26.

II. BACKGROUND

Disability rights activists came of age as a political force with the movement to pass the ADA. President Bush took advantage of his signing of that act to be very high visibility on the issue, and to court the constituency incessantly. There has been a lot of unhappiness with our administration because they don't feel we have paid enough attention to them or their issues. This meeting will go a long way toward allaying those concerns.

In addition to this meeting, Secretary Shalala held a very successful meeting with them several weeks ago; and they have met with Ira Magaziner and members of the health care reform working groups.

One of the participants in the meeting will be Justin Dart, who recently resigned as head of the President's Committee on the Employment of People with Disabilities. After he resigned, you put in a call to him and had some very positive correspondence back and forth. Dart, although a Republican and close personal friend of George Bush, has been extremely positive about you and the administration, both publicly and privately.

The issues I expect people to raise during the meeting include:

- Implementation and Enforcement of the ADA. They want more funding for enforcement and an executive order to all agencies on implementation and enforcement. Domestic Policy Council and HHS are working on a policy paper that may become an executive order, but it is not done yet.
- Health Care Reform. They are strong advocates of very extensive long term care program, and want to ensure equitable treatment under managed care.
- Personal Assistance Services (PAS). During the campaign, you had pledged to appoint a task force on PAS. We have not yet done that, but are looking at the issue in the health reform task force, and intend on appointing a commission later under the auspices of the National Commission on Disabilities for looking at non-health related PAS issues.
- Personnel Issues. Although several high visibility people with disabilities have been appointed so far, they will probably raise concerns that not enough people with disabilities have been appointed yet, particularly in areas not directly related to disability issues.

III. PARTICIPANTS

28 Participants (see attached)

Senator Harkin
Representative Hoyer
Fernando Torres-Gil, Assistant Secretary on Aging
Judy Heumann, Assistant Secretary of the Office of Special
Education and Rehabilitation Services
Paul Miller, White House Personnel
Alexis Herman
Mike Lux
Kathy Way, Domestic Policy Council

IV. PRESS PLAN

Closed

V. SEQUENCE OF EVENTS

- o You enter Roosevelt Room
- o You will make brief opening remarks
- o At the end of your remarks you should introduce Bobby Simpson. Hhe will thank you for all you've done and will then introduce 4-5 other people for questions or statements.
- o Informal discussion
- o You should make closing remarks.

VI. REMARKS

Talking points attached.

**Meeting with Disability Leaders
Tuesday July 27
TALKING POINTS**

Thanks to everyone in this room, and the strong leadership of Senator Harkin and Congressman Hoyer, we celebrated the third anniversary of the enactment of the ADA yesterday. I want you to know that this administration strongly supports that legislation and will provide strong enforcement of it. Our administration is committed to this legislation from top to bottom, as the activities of Attorney General Reno and many other government agencies yesterday showed.

I also want to thank all of you here who helped so much on my campaign.

I want to acknowledge the members of my administration, as well as those nominated but not yet confirmed, who are here with us today and who have been leaders in the disabilities community for years:

Marca Bristo, Nominee for Chair of the National Council on Disabilities
Judy Heumann, Assistant Secretary for Office of Special Education and Rehabilitation Services, Department of Education
Paul Miller, Director of Disability Outreach, White House Personnel
Bobby Simpson, Commissioner of Rehabilitation Services, Department of Education
Max Starkloff, Nominee for Chair of Commission on White House Fellowships
Fernando Torres-Gil, Assistant Secretary on Aging, HHS
Bob Williams, Commissioner of Administration on Developmental Disabilities, HHS
Justin Dart, Chair, President's Committee on the Employment of People with Disabilities
Bob Sevigny (Sev-in-y), Director of Disability Outreach, DNC

We need your help on getting our economic package through in these next few weeks. It's too important, and we've come too far to allow ourselves to fail now. The growth of our economy and the long term strength of our country are at stake.

We're also going to need your help on health care reform. Our package will insure that everyone, regardless of their employment situation or pre-existing health conditions, has affordable health care. We will include new funding for long term care and home based personal assistance services. And we will assure that the unique needs of people with disabilities are met.

LIST OF ATTENDEES

Kathi Way, Domestic Policy Council

Mike Auburger, ADAPT

Marca Bristo, ACCESS Living; appointed Chair of the National Council on Disabilities

Daniel Bross, AIDS Action Council

Judi Champberlain, Coordinating Committee of the National Association of Psychiatric Survivors

Justin Dart, President's Committee on the Employment of People with Disabilities

Denis Figueroa, National Council on Independent Living

Laurie Flynn, National Alliance of the Mentally Ill

Donald Galloway, Disabled International USA

Jim Gashel, National Federation of the Blind

Linda Tonsing Gonzales, Rural Center of Independent Living

I. King Jordan, Gallaudet University

John Kemp, United Cerebral Palsey Association

Paul Marchand, The Arc and Consortium for Citizens with Disabilities

Oral O. Miller, American Council of the Blind

Joseph Rogers, National Mental Health Consumer Self Help Clearing House

Bob Sevigny, DNC Disability Outreach Director

Bobby Charles Simpson, Arkansas Rehabilitation Services

Edward Smith, North Carolina

Ben Soukup, National Association of the Deaf

Max Starkloff, Center for Independent Living in Saint Louis, appointed Chair of Commission on White House Fellowships

Hardy Stone, Head Injury Survivors

Ann Marie Vinup, Learning Disability Association of America

Nancy Ward, National Self Advocacy Steering Committee

Robert Williams, Consortium for Citizens with Disabilities
Personal Assistance Services Task Force
(appointed Administrator, Administration on
Developmental Disabilities)

Patrisha Wright, Disability Rights Education and Defense Fund

John MarkEnnis personal interpreter to I King Jordan

THE WHITE HOUSE
WASHINGTON

July 20, 1993

fax to Kashi
JUL 21 RECD

MEMORANDUM FOR ALEXIS HERMAN

FROM: MARCIA HALE
DAWN FRIEDKIN

SUBJECT: JOG WITH ACHILLES TRACK CLUB ON ANNIVERSARY OF AMERICANS WITH DISABILITIES ACT

This is to confirm the President's participation in the above event. Your office will be listed as the staff contact.

date: July 26, 1993
time: tba
location: not applicable
WH contact: Alexis Herman

CC:

- Rahm Emanuel
- Mark Gearan
- David Gergen
- Alexis Herman
- Nancy Hernreich
- Anthony Lake
- Bruce Lindsey
- Mack McLarty
- Regina Montoya
- Roy Neel
- Bernie Nussbaum
- Howard Paster
- John Podesta
- Jack Quinn
- Carol Rasco - FYI
- Bob Rubin
- Eli Segal
- George Stephanopoulos
- Ann Stock
- Christine Varney
- David Watkins
- Maggie Williams
- Katie Newell

WHITE HOUSE OFFICE OF PRESIDENTIAL PERSONNEL

MEMORANDUM

TO: Carol Rasco

FROM: Paul Steven Miller

DATE: July 20, 1993

SUBJECT: Department of Justice Tentative Events for July 26th -- Americans with Disabilities Act Celebration

JUL 21 RECD

fax to Kelli
FYI
from
Carol

I just got off the telephone with the staff at the Department of Justice and I want to communicate to you the *tentative* schedule of events that they have been planned for Attorney General Janet Reno.

In the morning, Ms. Reno will meet with leaders from the disability community (approximately 10-14 persons). Afterwards, Ms. Reno is scheduled to meet with a group of business leaders who have been selected as models of business compliance with the letter and spirit of the Americans with Disabilities Act (9-10 persons).

In the afternoon, Ms. Reno will participate in a walk-through of the Takoma Park business district to meet with business owners and view the architectural alterations that these shop owners have made to comply with the Americans with Disabilities Act. After the walk through, Ms. Reno will give some remarks about the Americans with Disabilities Act.

WHITE HOUSE OFFICE OF PRESIDENTIAL PERSONNEL

M E M O R A N D U M

TO: Carol Rasco

CC: Mike Lux

FROM: Paul Steven Miller

DATE: July 20, 1993

SUBJECT: Republican Efforts to Attract the Support of the Disability Community --
Bush Letter of Support for the Americans with Disabilities Act (*attached*)

JUL 21 REC'D

I recently received a copy of the attached letter from George Bush indicating his support for the Americans with Disabilities Act and the disability community. It is part of the general "rumor mill" being generated by disabled Republican leaders that the Clinton administration does not care about the disability community, and that the disability community was better off under a Republican administration. I simply wanted to give you a heads up on this issue.



George Bush

July 6, 1993

Dear Lex:

Let me begin by thanking you for the opportunity to offer these remarks to all who will be participating in this essential training on the Americans with Disabilities Act. Although I cannot be in Houston to welcome everyone in person, please be assured that I am with you all in spirit as you move forward toward the goal of making full inclusion of all people in all aspects of society a reality rather than only a dream.

When I signed the Americans with Disabilities Act on July 26, 1990, I recognized the potential that this historic legislation had for addressing discrimination, both intentional and unintentional, that Americans with disabilities had experienced in education, employment, and full participation in all aspects of community living. This recognition was bolstered in part by the hundreds of persons with disabilities who joined me on the White House lawn to witness the enactment of the most comprehensive legislative program ever developed to ensure that persons with disabilities enjoy the constitutional rights taken for granted by others. The pride and potential that I saw in the hundreds of faces of people who attended the signing of the ADA reinforced my sense of how important a tool ADA could become in making the best use of America's most valuable resource—its people.

I look back on that July day nearly three years ago knowing that the enactment of ADA was one of the most important domestic accomplishments of my administration. It opened the doors for more than 43 million people with disabilities to pursue the American dream of personal achievement and community participation.

However, I also realized that simply signing legislation does not produce results, no matter how well intended or comprehensive such legislation may be. In order for legislation to be translated into results that make a difference to everyone in society, people need to know what the legislation is about and how

July 6, 1993
Mr. Lex Frieden
Page Two

to use it. My administration was determined to see that ADA became more than a vague concept to be referred to in employment applications and building codes and otherwise forgotten. We were determined to see that ADA had real and positive impact on the lives of people with disabilities and others.

The message was given to relevant Federal agencies that we expected ADA to be implemented in a timely manner, and that we expected commitment of substantive resources to promote effective implementation. The response from the Departments of Justice, Education, and Transportation was wonderful. With few exceptions, implementing regulations were prepared on time and disseminated widely. More importantly, executive branch departments, particularly Justice and Education, committed significant funds to projects designed to assure that persons with disabilities and covered organizations and agencies would know what ADA meant to them and how to use it.

Perhaps no Federal agency demonstrated stronger commitment to ADA than the Equal Employment Opportunity Commission. Under the strong and capable leadership of Chairman Evan Kemp, the EEOC took on the task of preparing regulations, educating its staff, and preparing its field offices for the challenges of ADA. Most importantly, EEOC recognized the role that persons with disabilities could and should play in leading efforts toward full and effective ADA implementation. Working with the Department of Justice to provide the funding necessary for in-depth training of more than 400 individuals with disabilities throughout the country who could be called upon to assist public and private agencies in their efforts to understand and comply with the provisions of ADA was a bold move. It was characteristic of the commitment of Chairman Kemp and his staff in empowering people who could use Federal legislation effectively toward individual achievement and community advancement.

Lex, I know that when you were Executive Director of the National Council on Disability struggling to get ADA drafted and submitted to Congress for consideration that first time back in 1988, there were times when you became discouraged and frustrated. The cumbersome federal lawmaking process has a way of doing that to all of us. Now, five years later, you can see the results of the hard work that you and others around the country, including Justin Dart,

July 6, 1993
Mr. Lex Frieden
Page Three

Liz Savage, and Marca Bristo, is beginning to yield. We see changes in employment opportunities and community access virtually on a daily basis-- many of them due to the empowerment of people with disabilities who have the force of law behind them.

Yet, the struggle continues, and I am delighted to have this opportunity to wish you well in this important work. By gathering in Houston to map your strategy, each of you has demonstrated your dedication to the fair and equal treatment of every American. As you look to the future, I challenge you to use the tools in the ADA aggressively -- but wisely -- to help make our communities and, thus, our Nation a better place for all to live.

Warmest Regards.

Sincerely,



Mr. Lex Frieden
Senior Vice President
The Institute for Rehabilitation and Research
1333 Moursund Avenue
Houston, Texas 77030

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Disability 7/1/93

NATIONAL COMMUNITY REVIEW

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President Clinton Meets with Disability Advocates

ADA anniversary marked with historic 1-hour meeting with President Clinton

Twenty five disability advocates representing a broad cross-section of the disability community met July 27 with President Bill Clinton. The meeting began with President Clinton placing a phone call to Sen. Tom Harkin (Iowa); brother Frank, who lives in Des Moines and is deaf. The President's call demonstrated the new telephone relay system which was mandated by the ADA to be in place in all states by July 26, 1993.

Priorities
 Following the phone call, several of the disability leaders addressed priority issues they wished to share with the president. First was the need to vigorously enforce the ADA and to continue to expand training and technical assistance. Clinton was urged to lead the way in convincing American citizens of the worth and potential of people with disabilities. The President's own creed during the campaign was stressed as an example: Inclusion not exclusion; independence, not dependence; and empowerment, not paternalism.



With President Clinton are: first row right to left: Bobby Simpson; Justin Dart; Joe Rogers; Paul Marchand; Nancy Ward; Patty Smith; Mike Auberger; Marca Bristo; second row: Edward Smith; Max Starkloff; Pat Wright; Bob Williams; Oral Miller; Ann Vinup; and Steny Hoyer present but not shown: Denise Figueroa; James Gishel; Hardy Stone; Lori Flynn; King Jordan; Dan Brown; John Kemp; Ben Soukup; Judy Chamberlain; Ed Roberts; and Judy Heumann. See page 10 for update on President's Health Care Proposal unveiled September 22.

Health Care Reform
 Then several of the leaders discussed the vital health care reform initiative. The importance of health and health-related services was stressed, as well as the critical importance of the proposed reform: principles of universal coverage and the prohibition of pre-existing conditions. Long-term care reform and personal assistance services were pushed as an integral part of health care reform.

The President pledged to fully implement ADA and to address the disability community's concerns on health care. He agreed to consider future meetings and asked for support from the disability groups for the enactment of his budget and other human services priorities that affect people with disabilities and their families. Government Report: The Arc

THREE SUITS MAY FORCE BUDGET BUSTING CHANGES

DENVER POST - Three major class action lawsuits destined to have national repercussions have state officials, advocates and the courts re-evaluating the state's responsibility for nearly 200,000 Colorado residents.
 The lawsuits challenge two state practices: denying services to the mentally ill and retarded while extending them to the physically disabled, and putting mentally retarded people on waiting lists for services. If the lawsuits succeed, "we're going to go belly-up in providing services," said Dwight Eisnach, Colorado Department of Institutions spokesman. "There are hundreds of people on waiting lists. If they require us to take all of these people at once, it's going to be a tremendous shock to the state." The newest and potentially explosive suit - named for Helen King, mother of the plaintiff Kathleen MacDonald - is being watched nationally for the impact it may have.

Public care for mentally retarded and mentally ill Coloradans is teetering on the brink of profound change whether the state is ready for it or not.

The case filed in US District Court alleges that as many as 1,800 people who are mentally retarded or have dual disabilities illegally were denied state and federal Medicaid care in their homes, even as physically disabled people have received it. The case also attacks the nationwide practice of using waiting lists to limit how many people get care. The state will not supply matching funds to get all federal Medicaid money available.

In Colorado, the King suit would force \$72 million to be shifted to serve people who commonly wait 10 years or more.
 Another unresolved lawsuit is named for Duc Van Le, a 40 year old man suffering from schizophrenia. He spent years in state hospitals and nursing homes. Because his disability was mental not physical, state officials ruled him ineligible for Medicaid. Legal Aid Society of Denver filed that suit in Denver in 1989 on behalf of Le and 300 others who want the state to provide home and community based services to the mentally ill just as it does for the physically disabled.
 If successful the result of these suits likely will be more comprehensive, specialized aid for all including the thousands on waiting lists and an additional \$100 million in state costs each year, which officials maintain the state cannot afford.
 DATATIMES