



President's Committee on Employment of People with Disabilities

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URGENT

NORMAL DELIVERY

Date: 19 Nov. 1993
To: STAN HEAR
Fax #: 456-7028 Ofc. #: _____
From: JOHN LANCASTER

The President's Committee
On Employment of People with Disabilities
1331 F Street, N. W. Washington, DC 20004-1107

Total number of pages including this page ~~456-7028~~ 8

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NOVEMBER 22, 1993 NATIONAL AUDIO TELECONFERENCE

HEALTH CARE REFORM - DISABILITY ISSUES

QUESTIONS FOR THE PANELISTS

1. Guaranteed National Benefit Package

Becky Ogle, National Council on Independent Living Centers - from the studio

Most of us in the disability community applaud the President Clinton's efforts to include us in his health care plan. We understand that the plan as submitted to Congress offers universal coverage that is not dependent on your employment status, that is comprehensive and guarantees a full benefits package, that uses a community rating system so that individual rates are fair and not based on health status, that does not allow pre-existing condition exclusions or waiting periods, and that sets a limit on out-of-pocket expenses.

If we support the President on these important principles, what assurance can we have that he will go to the wall for those principles, that there will not be a last minute compromise on principle that will once again leave people with disabilities out, that will condemn us to continued decades of unemployment, poverty and poor health care? Will the President veto a law that does not fully implement all of his principles?

Collette: Universal coverage not negotiable exp 14,000 insurance for DS into these tech jobs Pns. will not do part time le. efforts at any restrictions.

delay-daily

2. Cost

Maria Rutter, American Brain Injuries Association - Los Angeles, California

My name is Maria Rutter. I am a survivor of a brain injury. I represent the American Brain Injuries Association in Glendale, California. I want to work, but I can't because I would lose my Medicare and MediCal benefits and couldn't afford my medical care. I read that under this plan everyone will have a choice of three plans: fee-for-service, group health or a preferred provider network. But living with a disability costs a lot. So my question is will I really be able to afford the premiums for any of these plans? How high will they be? Are there co-payment limits? Are there subsidies? Will I ever really be able to afford to go back to work?

over-said? must be one that was re-written to speak intel A: disconnect employment from health insurance

or only eligible on savt benefits -- (2) HMO -- premium -- no different than other plans risk adjustment w/in allowance for particular plan, if esp attractive to HMO (3) no discrimination (4) capped based on income -- very modest 3.9% max.

3. Choice of Health Care Providers

Jane Rhys, Executive Director, Kansas Planning Council on Developmental Disabilities - Topeka, Kansas

My name is Jane Rhys. I am the Executive Director of the Kansas Planning Council on Developmental Disabilities. Individuals with disabilities need to be able to see health care providers who understand disabilities like cerebral palsy, muscular dystrophy, Post-Polio syndrome, spinal cord injuries and chemical sensitivities. Moreover, some individuals with

disabilities need to travel to other parts of the country to receive treatment from the few available specialists. There is the case of young man paralyzed in a car accident at age 12 who in adulthood held a job that offered a managed care policy. When this man developed severe decubitus ulcers the gatekeepers would not permit him to travel out of the area to a spinal cord injury center. After a few years of denied appeals and a deteriorating physical condition, this young man died leaving his wife and twin sons penniless and on welfare. How does this plan guarantee that we will not be at the mercy of gatekeepers who do not know our disabilities and prevented from seeing specialists who know our disabilities no matter where they are located?

A: I have a lot of concerns that you have; complicated, envious system like the Fed. benefit program -- 15 plans

3 -> 4. Griss Question

3 kind of plans out-of-pocket

Bob Griss, Senior Health Policy Researcher, United Cerebral Palsy Associations - from the studio

Complex Coverage not health care for everyone

(statement...) then

There are many positive features to the Clinton Health Plan, but it also has many weaknesses from a disability community perspective. Should the disability community support the Clinton Health Plan because it is better than the status quo, or oppose it because it is not as good as single payer? This is the fundamental dilemma that disability organizations and all health care reform advocates have to confront.

Gov. Spantuz (McDonnell + Clinton) single-payer advocate
+ Clinton (simplification) -- S-P measure would pass in NY
principles sooner rather than later
2 State option 3 Gov. experience in US 4 more, a vendor would be down the line

5. Quality Issues

Dr. Kathy McGinley, Assistant Director Office of Governmental Affairs, The ARC - from the studio

9

How much choice will a person really have if plans compete on cost and quality and not just on quality? For example, will all those whose coverage is still funded through Medicaid end up in a bare bones plan that does not meet their needs?

start small, risk expand over time better than status quo

6. Protection for Children Covered by Medicaid

Connie Ergen, the ARC-Allegheny - Pittsburgh, PA

all will provide Risk, a different balance; cost + outcome do need not be in conflict; outcome research A: Denial -- consumer choice O'Keefe -- no disincentive to provide care

My name is Connie Ergen and I represent the ARC-Allegheny in Pittsburgh, Pennsylvania. The members of our organization are children and adults with mental retardation and their families. Most of our families have chosen to keep their children at home and not place them in institutions. However, they are financially and emotionally stretched to provide the services that their children need. Currently, many of our school-age children would not be able to afford the therapies that they need if they were not covered by Medicaid and thereby eligible for the Early and Periodic Screening, Diagnostic and Treatment (EPSDT) programs. We understand that there will be a cap placed on spending for EPSDT services at 1993

levels. But many states and local schools have not yet fully implemented the EPSDT mandate or taken advantage of the Medicaid reimbursed possible under EPSDT. Will you guarantee that our children will not lose services.

*Celeste: He doesn't want plan to reduce benefits in private + public sector
Oliver: patchwork
categorical programs
getting business sorted out*
7. Protection of Children and Families not Eligible for Medicaid

*paralyzed person -- he can buy enough for PA - at \$5 per hour
A: grant program Home of C-B
agency or 50th - directed*
Pat Haberbosch, WV Parent Training and Information

Kim --
My name is Pat Haberbosch and I am Project Director for the West Virginia Training and Information project in Clarksburg, West Virginia. My husband and I are parents of a *phase 2
one 7 year
mentally
socially* daughter who has multiple disabilities and is non-verbal. We have personally been financially responsible for all of her medical care, therapy needs and personal needs for 17 *10 years;
A: attendant
care; not
outland
services
include
services
Adv 10/10/93* years. We have provided \$32,000 for a special dietary formula alone. Because of two 25 year old tractors and a few cows we have never been eligible for any financial help. My husband and I both work and have a very basic health insurance policy that provides little help. We have two other daughters one of whom is sitting out this semester trying to earn money for tuition and books because she received no financial aid. How will we, as a middle-income family, get some financial relief from the proposed plan?

8. Single Payer

*Phil -
Robertson
Sam Diez*

From the field (Maggie will try a Tennessee site)

If health care cost containment is so important to the economy, to the federal deficit, and to the enactment of national health care reform legislation in 1994, and certain medically necessary services are being excluded from the benefit package or limited because of financing constraints, why should the American public not insist on adopting a single payer approach to health care which the Congressional Budget Office and the U.S. General Accounting Office both say is the most effective way to control health care costs and which guarantees choice of provider?

*A: Celeste again re: benefits long to reorganize
Daniels: S-P*

9. Long Term Care and Personal Assistance Services

not asked
Paul Delaune, West Palm Beach, Florida

My name is Paul Delaune and I live in West Palm Beach, Florida. My biggest need as a quadriplegic from a spinal cord injury is for personal assistance services. This includes bathing, dressing, grooming, cooking, driving, cleaning, laundry, etc. For \$5 an hour I can hire individuals to perform these services. If I go through an agency the same services cost \$7 to \$15 per hour. If I go into a nursing home these services would cost \$30,000-\$35,000 a year. Under the new home and community based program exactly what services will I receive, is there any cap on how much I will have to pay myself and how long after the health care plan is in effect will I see any of these home care services?

Paul Farlane -

Dianna

10. Parity for Treatment of Psychiatric Disabilities

Someone in the field that Maggie will arrange will ask this one.

People with psychiatric conditions usually have the same needs from the health care community as people with chronic physical conditions such as diabetes. In other words they need to be able to see a doctor who is a specialist in psychiatric conditions, receive in patient hospital treatment when necessary, obtain out patient treatment when appropriate and be able to purchase the prescribed medications. Governor Celeste, will President Clinton's Health Care Plan guarantee immediate health care treatment parity with other physical illnesses like diabetes or heart disease? And does the treatment for psychiatric conditions have limitations that other illnesses do not have?

11. Involuntary Treatment for Individuals with Psychiatric Disabilities

Ron Thompson, National Association of Psychiatric Survivors - Rockville, Maryland

My name is Ron Thompson and I serve on the board of the National Association of Psychiatric Survivors. We who have survived incarceration in psychiatric hospitals without due process, we who have survived being drugged, we who have survived being beaten want to know if this plan will not permit mental health care provided to treat us without our informed consent? Will we be able to chose our own mental health care?

12. Managed Care

Curt Decker, Executive Director, National Association of Protection & Advocacy Systems - from the studio

What provisions are in the plan to ensure and protect people with disabilities so that they receive services to which they are entitled, services that are the right ones for sufficient lengths of time? What assurances are built into the plan to ensure appropriate options? What grievance procedures and due process protection are built into the plan?

13. Applicability of ADA and Section 504

Patrick Cannon, Michigan Commission on Handicapper Concerns - Lansing, Michigan

My name is Patrick Cannon and I am Executive Director of the Michigan Commission on Handicapper Concerns. I am also a person with a disability as I am blind. There will be tremendous pressure to contain costs with the implementation of health care reform. The concern for many in the disability community is that this pressure may be interpreted as a signal to "ration" health care services, and that some bureaucrat will decide that the quality of our lives is so bad that we would be better off dead. How will we be protected from those kind of decisions? Will the regional health alliances, the states, health care providers

ADA fully applicable
in although in plan to document
- vocal advocates
- argument to make choice and say it in an effective voice. Gmai ADA 1994 will be in no way

Complete parity
Think clearly
re non-medical
no life time limit
v. 50 - 60 000
of help? no only 1000
no discern
appropriat
absolut
in essence
A: why not totally oppose - parity v. free choice
nt to refuse
A: Daniels; pays for emergency services
to state issues
A: gov't
ADR
be more state role in change
in comd;
non-standards
se some
cross branch
Federal time
ambulance
in regional
alliances
legabremities

and individual health plans be subject to the non-discrimination provisions of both Title II of the ADA and Section 504 of the 1973 Rehabilitation Act as amended?

14. Durable and Disposable Medical Equipment, Prosthetic and Orthotic Devices

Joe Herky -- Texas Amos Committee on Disability
Lisa Arisco, United Cerebral Palsy Association of Texas - Austin, Texas

My name is Lisa Arisco and I am with the United Cerebral Palsy Association of Texas. Whether or not an individual is born with a physical disability or acquires a disability as a result of injury or illness, the ability to obtain the right equipment can be the critical factor in living a healthy, active, independent and productive life. However, I understand that the plan incorporates the Medicare program's treatment of durable medical equipment which is outdated and based on a premise that people with disabilities spend most if not all of their time at home and not working. Can you assure us that a 19 year old young woman with cerebral palsy will be able to order a wheelchair that fits her slender frame and is light weight and easily maneuverable? Can you assure us that a 30 year old man with an above the knee amputation will be able to purchase a prostheses that will permit him to hike and participate in sports? Can you assure us that a 50 year old woman who is experiencing the effects of post-polio syndrome will be able to have a ventilator so she may breathe at night? Can you assure us that the \$100 to \$200 per month that a person with a spinal cord injury must spend on leg bags that don't leak and the rest of the disposable medical equipment that he or she needs will be covered? Can you assure us that a child born without a jaw can have one built?

not assumed
Cerebral Palsy
not leg amputees
med necessary appropriate
assistive
technology
life-time
customized
devices
detached
improved

educated
not
Cerebral Palsy
versions
Tony
old
doc
of DMRE
not good
on VP
need
never
do it like
assistive
technology

15. Outpatient Rehabilitation Services

Danijl Pa-lund -- Nebraska (Comm on Employment HP) ; Exec Director
Ann Holmblad, Association for Cerebral Palsy - Montpelier, Vermont

My name is Ann Holmblad and I am employed at the Association for Cerebral Palsy in Montpelier, Vermont. As a person working with people with disabilities and as a person with a disability myself, I know that it is critical to maintain functioning and to prevent the deterioration of functioning. For example, an adult with partial paralysis in the legs may need ongoing physical therapy to prevent leg contractions that would interfere with her ability to walk. The Administration's proposal is silent on the issue of paying for services to maintain function and prevent deterioration. What do you plan to do about this?

16. Transition Issues

Ann Marie Hughey, Executive Director, National Council of Independent Living Centers - from the studio

What will happen to people with disabilities during the transition to the new system? Will people on the waiting list for Medicaid home and community based waiver services be able to get those services during the transition period? -- A: continues to require help from state

?? n: Relatively narrow; concern of cost + part of premium by all
"family stone" - "sultone fine (6-7 years)"
"truly comprehensive by end of decade"
Dance's: responsibility; can people do some of it
in family w/ professional training self
Janet O'Neefe: arbitrary scope + duration limits
add maintenance under C-T case
work on members --
contingency to expand
protect programs
Medicaid
LTC -- requires
work
\$38 bill
companies must
have support for LTC
out of state -- post-acute
to state in package

17. Benefits for People who are Blind or Visually Impaired

Scott Marshall, Associate Executive Director for Governmental Relations, American Foundation for the Blind - Washington, DC

Not asked

My name is Scott Marshall and I am Associate Executive Director for Governmental Relations for the American Foundation for the Blind. We would like to know why services such as occupational therapy, physiotherapy, and speech/language therapy are covered as a basic benefit under the Clinton plan, but that (use of the white cane is not a covered therapy.) Just as occupational therapy and physiotherapy can restore a stroke patient's ability to walk and function independently, we believe that providing a blind person with the therapy needed to use a white cane is essential to restore mobility and independent living?

18. Governance

Catherine Baird, Executive Director, Governor's Committee on Employment of Disabled Persons - Sacramento, California

In the past members of the disability community have often been shut-out of health care planning processes, particularly on the state level. What will the role of people with disabilities be in the development, implementation and evaluation of health care policies at the state and federal level? Will the law demand that the governing board of the regional alliances have at least 51% consumer members, consumers without financial stake or interest in the companies providing health care through the alliances?

19. Experimental and Investigational Procedures

Nan Ellen East, Executive Director, Advocacy Services, Inc. - Little Rock, Arkansas

My name is Nan Ellen East and I am Executive Director for Advocacy Services in Little Rock, Arkansas. Our question concerns experimental and investigational procedures. For example, there are many new drugs being developed to treat individuals who are HIV positive or who have AIDS. There are new procedures being developed to save the lives of premature babies? How will this plan protect and support pioneering research and innovations?

20. Dental, Vision and Hearing Care

(Kathy Olson)
Suzanne Thomas, Regional Representative, Governor's Committee on Employment of People with Disabilities - Las Vegas, Nevada

My name is Suzanne Thomas and I am the Regional Representative of the Governor's Committee on Employment of People with Disabilities in Las Vegas, Nevada. One thousand births per year result in a bilateral, significant hearing loss. These children could benefit

wrong name

Penny wise, pound foolish

from hearing tests, speech and language therapy and hearing aids. We understand that these services are not covered. Why not? And why are hearing aids not covered for children?

Q: loophole -- current services will continue to be received

21. Coverage for Dependent Adults with Disabilities

Tony: paid for medical and cost of a health to rehab, such as white cane; value of rehab; many times more than + 71 for good volume

Hilda Ross Kairuz, Executive Director, Centro Nuevos Horizontes - Bayamon, Puerto Rico

My name is Hilda Ross Kairuz and I am Executive Director for the Centro Nuevos Horizontes in Bayamon, Puerto Rico. We serve young adolescents with mental retardation. When these children reach age 18 they are taken out of their parents' health plans and it takes a lot of paper work to re-instate them. How will President Clinton's plan eliminate this problem?

22. Veteran Benefits

Carly Softner --

all that cat here

Chuck Karczewski, President, North West Paralyzed Veterans Association - Seattle, Washington

My name is Chuck Karczewski and I am President of the North West Paralyzed Veterans Association. Our question is whether the V.A. medical system as we now know it will survive? If not how will it change?

L.D.; mental disabilities; land like benefits

*Phil -- Ministero Mas San Diego - CA.
single payer again*

THE WHITE HOUSE
WASHINGTON

Stan New - fyi
only

DATE: 9/1

NOTE FOR: *Carol Kress*

The President has reviewed the attached, and it is forwarded to you for your:

Information



Action



*Carol —
I'll handle
correspondence
do a ty TOP*

Thank you.

JOHN D. PODESTA
Assistant to the President
and Staff Secretary
(x2702)

cc: *Tim Podesta*



THE PRESIDENT'S COMMITTEE ON
EMPLOYMENT OF PEOPLE WITH DISABILITIES

1331 F STREET, N.W., WASHINGTON, D.C. 20004-1107
(202) 376-6200 VOICE (202) 376-6205 TDD (202) 376-6219 FAX

93 AUG 16 10:31

CHAIRMAN

*Memo
Fyl - JWC
Tracey*

August 10, 1993

Mr. John Podesta
Staff Secretary
The White House
Washington, DC 20500

Dear Mr. Podesta:

I was moved by the actions of the President and the Attorney General in observance of the third anniversary of the signing of ADA. The policy discussions with the leadership of the disability community, the cutting edge appointments, the policy statements, were magnificent. Finally people with disabilities are beginning to be included as real citizens. This is people first change, people first democracy at its best.

Enclosed is a copy of a special report of these happenings which I wrote. It has been sent to more than three thousand disability community leaders throughout the nation, and to many abroad.

I appreciate your personal contributions to the progressive disability policy of the Clinton Administration.

Sincerely,

Justin Dart



President's Committee on Employment
of People with Disabilities

I believe these events indicate progress for disability rights. Congratulations! Justin

Washington FAX

An update of activities, programs and projects of the President's Committee

August 1993

Special ADA Anniversary Issue

Vol. 1, No. 9

by
Justin Dart

HISTORIC FACE-TO-FACE DIALOGUES WITH PRESIDENT AND ATTORNEY GENERAL, LANDMARK PRESIDENTIAL APPOINTMENTS, NEW YORK MARCH, MAJOR MEDIA FOCUS, VICTORY FOR AIRLINE ACCESS HIGHLIGHT NATIONWIDE ADA BIRTHDAY CELEBRATIONS

Colleagues, ADA had a great third birthday party. President Clinton and Attorney General Reno came through for justice. Many major media entities came through for justice. Most importantly, thousands of you came through for justice. People with disabilities still face a long, perilous march to the promised land of full equality and full empowerment. But the last few days have demonstrated once again the potential of united advocacy and people first democracy. My mind and spirit are lifted from the cloudy probable to the shining possible.

I could not begin to list all of your magnificent ADA birthday events; this is a summary of happenings in which I was privileged to participate -- or of which I have personal knowledge.

JULY 23, PRESIDENT CLINTON ISSUES A SPECIAL HAPPY BIRTHDAY ADA MESSAGE TO THE NATION: "Our country doesn't have a single person to waste, and we must invest in each person's enormous potential by fully implementing the Americans with Disabilities Act. . . . My Administration is committed to shifting disability policy away from exclusion, towards inclusion; away from dependence, towards independence; away from paternalism and towards empowerment."

JULY 26, THE PRESIDENT ADDRESSES A CHICAGO CONFERENCE ON THE WORKPLACE OF THE FUTURE: "There is one group of American workers I really want to acknowledge today. This is the third anniversary of one of our most important civil rights laws, the Americans with Disabilities Act. For more than 40 million people, the law is clearing the barriers to full participation in American life. . . ." Marca Bristo, National Council on Disability Chairperson-Designate, was chosen to be one of 12 Americans serving with the President on the gathering's showcase panel.

JULY 26, THE PRESIDENT ANNOUNCES A LANDMARK APPOINTMENT: BOB

WILLIAMS TO BE COMMISSIONER, ADMINISTRATION ON DEVELOPMENTAL DISABILITIES AT HHS. Bob, widely recognized as one of America's most brilliant disability rights leaders, is a UCPA public policy expert, a former Senate aide, a hero of ADA and numerous other battles in Congress. He is the first Presidential appointee in history who uses an augmentative communication device to speak.

JULY 27, THE PRESIDENT ANNOUNCES ANOTHER OUTSTANDING APPOINTMENT: LONGTIME DISABILITY RIGHTS LEADER BOBBY SIMPSON TO BE COMMISSIONER OF THE REHABILITATION SERVICES ADMINISTRATION. Bobby is a former President of the Coalition of Texans with Disabilities, Chairman of the Texas Governor's Committee and Director of the Austin Center for Independent Living. He currently serves as Director of the state vocational rehabilitation program in Arkansas.

JULY 27, THE PRESIDENT HOLDS AN HISTORIC WHITE HOUSE DIALOGUE WITH LEADERS OF MAJOR DISABILITY RIGHTS CONSTITUENCIES. The 45-minute gathering in the Roosevelt Room was dominated by discussion of ADA implementation, health care, long term services reform, and ongoing visible Presidential leadership for disability rights. The President reinforced past pledges of full support for ADA. He expressed general support for the entire disability rights agenda, but cited political and economic barriers. He appealed to the disability rights movement to support his agenda to remove those barriers. The President was enthusiastic and attentive. He took notes.

Before the arrival of President Clinton, statements were made by Senator Tom Harkin, Rep. Steny Hoyer, and White House Deputy Chief of Staff Roy Neel. The President initiated the meeting by using the ADA mandated relay telephone service to call Iowa and speak with Tom Harkin's brother, Frank, who is deaf.

Presenting positions on behalf of the disability community were: Bobby Simpson; Pat Wright, DREDF; Paul Marchand, The ARC and CCD; Joe Rogers, National Mental Health Consumer Self Help Clearing House; Ed Smith, Civil Rights Department, North Carolina; Denise Figueroa, NCIL; Ed Roberts, World Institute on Disability; Marca Bristo, National Council on Disability; I. King Jordan, Gallaudet University; and Mike Auberger, ADAPT.

Others participating included: Daniel Bross, AIDS Action Council; Judi Chamberlin, National Association of Psychiatric Survivors; Laurie Flynn, NAMI; Donald Galloway, Disabled International USA; James Gashel, NFB; Fernando Torres Gil, HHS; Linda Gonzales, Rural Independent Living; Judy Heumann, DOE; John Kemp, UCPA; Oral Miller, ACB; Minion Moore, Democratic National Committee (DNC); Ben Soukup, NAD; Max Starkloff, Paraquad; Hardy Stone, Head Injury Survivors; Anne Vinup, Learning Disability Association of America; Nancy Ward, National Self Advocacy Steering Committee; Bob Williams, and myself. White House staff Mike Lux, Paul Miller, and Debbie Fine, and Robert Sevigny, DNC, also attending, deserve congratulations for arranging the event.

This truly was an historic gathering. I am not aware of any previous policy dialogue with the President that included such a broad representation of the major disability rights constituencies. Oft excluded groups like psychiatric and head injury survivors and people labeled mentally

retarded were represented by people with those disabilities. ADAPT was present and speaking. This was people first democracy at its best.

JULY 26, ATTORNEY GENERAL JANET RENO DEVOTES DAY TO ADA. Beginning with a strong ADA editorial she wrote in *USA TODAY*: "As of today, the Americans with Disabilities Act's three year phase-in period is over. It is time to finish the job of turning the Act's promise into reality. . . . We are earnest about our enforcement responsibilities."

--At 11:30 a.m. the Attorney General discussed ADA with a delegation of about 20 disability rights leaders, led by Pat Wright, and including many of us who were to meet with the President the next day. There was detailed discussion of implementation problems and opportunities, with special focus on the need to communicate accurate information about ADA rights and obligations and to convince the nation that the government is serious about enforcement. The Attorney General promised vigorous implementation and enforcement of ADA. She solicited recommendations as to how DOJ activities and staffing related to disability rights can be refined. She announced the assignment of five additional attorneys to ADA enforcement and \$2.5 million in ADA technical assistance grants. She appealed to the disability rights organizations to work in partnership with DOJ to keep the promise of ADA.

--At 1:30 p.m. the Attorney General met with leaders of the business community to appeal for voluntary compliance with ADA. She asked them to spread the word that implementation need not be painful, and to seek accurate information from appropriate government agencies and credible sources in the disability community.

--At 2:45 p.m. the Attorney General toured small businesses in Takoma Park, MD, to congratulate them on making their facilities accessible. She was accompanied by a small number of disability community leaders.

--At 3:30 p.m., immediately following the tour, she addressed a group of citizens in a nearby park. "What we see on the main street of this small town is how easy and important it is to comply with the law," she said. She spoke of the ADA as being the means "to break down not only physical barriers but social barriers as well." She urged voluntary compliance, but also said, "Let me make clear that. . . we will take people to court when they thumb their nose at us." The Attorney General was introduced by Pat Wright, and joined on the podium by ADA architect Bob Silverstein, who read a powerful message from Senator Tom Harkin.

JULY 24-27, THE DISABILITY COMMUNITY ORGANIZES ADA BIRTHDAY EVENTS ACROSS THE NATION. A San Diego Disability Pride Parade attracted major media attention. An ADAPT crawl-in to inaccessible restaurants in Austin, TX, resulted in a great *New York Times* photo of Bob Kafka dragging his body across the floor of a fashionable eatery. Perhaps most prominent among the ADA birthday celebrations was a Disability Independence Day march down Madison Avenue in New York by about 2,000 disability rights advocates. Speakers at the subsequent rally included Marca Bristo, Frank Bowe, Judy Heumann, Paul Hearne, Denise Figueroa, Greg Hlibok, Ottmar Miles-Paul, and myself. This event, "to celebrate the ADA, and advocate for universal health care and universal communications," was covered by major national TV and print media. Congratulations to

organizer Daniel Robert and his colleagues.

JULY 30, FORMER PRESIDENT BUSH MEETS IN KENNEBUNKPORT WITH DISABILITY COMMUNITY LEADERS AND ADMINISTRATION COLLEAGUES WHO WORKED ON ADA. The bipartisan group of about 35 persons celebrated the third anniversary of ADA and discussed opportunities for Mr. Bush to support disability rights in the future. He was presented with the first Bush Medal for historic contributions to disability rights -- an award which had been announced at a Washington event earlier in the year. After lunch at a local hotel, the group moved to the nearby Bush home. Participants included former Attorney General Dick Thornburgh, former White House General Counsel C. Boyden Gray, Lex Frieden, Evan Kemp, Max Starkloff, Oral Miller, Paul Hearne, Osborne Day, Judi Chamberlin, Steve Tremblay, and myself.

JULY 22-31, NATIONAL AND LOCAL MEDIA LIGHT HUNDREDS OF CANDLES FOR THE ADA BIRTHDAY CAKE. There were prominent and generally positive articles about the law and its impact in *The Wall Street Journal*, *USA TODAY*, *The Washington Post*, *The New York Times*, *The Chicago Tribune*, and many other newspapers. There were numerous similar focuses on ADA by television and radio. On July 22, Pat Wright and I were guests on NBC's "Today Show." Pat rattled hostess Katie Couric and NBC management by pointing out on live camera that the studio was inaccessible -- in violation of ADA, -- and questioning the number of employees with disabilities. I added that "we are no longer your eternal children, your pet dogs and cats. . . ." According to "reliable sources," the show was followed by all-day management meetings focused on accessibility and diversity in employment.

JULY 31, THE FIREWORKS GRAND FINALE VICTORY OF ADA'S THIRD BIRTHDAY PARTY started when United Express refused to assist President's Committee Director Rick Douglas to board its commuter flight from Washington's Dulles Airport to Allentown, PA. Rick's wife Nancy Flinn got a picture of him crawling up the steps that appeared in major newspapers across the nation and on major TV networks. A front page *Washington Post* article was entitled "Crawling Before He Can Fly." In a prominent editorial *USA TODAY* said, "All Americans should be embarrassed that things like this still happen. . . . Complying with rules is not the point. . . . Local governments and businesses should act aggressively to provide access to disabled employees, customers and clients. Not just because it's a civil rights law. Or because it can be good business. They should make new opportunities for people with disabilities because it is the right thing to do." After meeting with Rick on August 4, United Airlines chief Stephen Wolf announced that henceforth United would "work closely with its commuter carriers to ensure that every reasonable effort is made to accommodate and assist customers with disabilities who travel on small aircraft."

IT WAS A HAPPY THIRD BIRTHDAY PARTY FOR ADA. Congratulations to all who worked to brighten the torch for democracy. Now we must unite to keep the promise of ADA to the millions who will never attend a White House meeting or appear on television, who remain imprisoned every hour of every day by environments, attitudes and policies that violate the most fundamental rights of human beings. It's going to be a long, hard struggle, but I believe we will win -- because I believe in you. And I love you. Together we have overcome. Together we shall overcome.

October 6, 1993

Justin Dart, Rick Douglas and Wilson Hulley
President's Committee on Employment
of People with Disabilities
1331 F Street, N.W.
Washington, D.C. 20004-1107

Dear Justin, Rick, and Wilson:

Thank you for the chance to visit with you yesterday. I appreciate the views and information you shared with me. Thanks, too, for the items Wilson sent me.

We discussed three other points on which elaboration would be helpful:

- A longitudinal analysis of the number of persons with disabilities who are employed full-time, employed part-time, and unemployed;
- The data and assumptions underlying the 43 million person estimate, and the basis for believing that this commonly quoted statistic overlooks certain groups of persons with disabilities;
- The estimated number of additional persons that you would count as part of the disability community (whether as affected family members, advocates, service providers, etc.).

We appreciate your fine efforts on behalf of the health care initiative and other key issues of importance to President Clinton and the disability community. Please convey my thanks to Paul, John, and Dina for the warm welcome you all extended to me.

Sincerely,

Stanley S. Herr
Public Policy Fellow

MEMORANDUM

TO: Steve Eidelman
FROM: Bob Montague
RE: Deena Dorich at President's Committee on
Employment of the Disabled
DATE: October 6, 1993

I had a nice conversation with Deena Dorich on October 5.

The bottom line: the President's Committee, by publicizing our employment pamphlets, has done all that it can for us. Government regulations prohibit the Committee from distributing materials not produced by the government, even if we were to provide copies. And, the Committee has no money for grants to organizations to print and distribute materials.

Ms. Dorich offered the following advice:

1. Make our second pamphlet available in alternate formats (braille, large type, or on-tape). If we do not, the President's Committee cannot publicize it.
2. Be willing to lend a duplicate set of films to an organization/company which desires to print and distribute our pamphlets.

/kb

cc: Stan Herr



President's Committee on Employment
of People with Disabilities

October 4, 1993

Dear Colleague:

Health care is a major issue that impacts on the full employment of people with disabilities, and the President's Committee will be following developments in health care reform closely. Today, I want to bring two important items to your attention.

First, as you know, just a few weeks ago President Clinton outlined a comprehensive health care reform plan to Congress and the nation. Enclosed is a summary of those sections of the Administration's proposal, the **Health Security Plan**, that relate to the disability community. This summary focuses on issues identified by the President's Committee's Health Insurance Work Group and by disability leaders throughout the United States as those of most concern to the disability community.

Many members of Congress agree that health care reform is needed. In fact, some 71 health care proposals are now in Congress. Through our "Legislative Update" publication, the President's Committee will keep you apprised of health care reform bills that emerge as the most significant.

Second, WE NEED YOUR HEALTH CARE STORIES! In preparing to address the issues, Congress is gathering information on experiences with the current health care system and will be seeking testimony. To respond appropriately, we need to know your experiences -- both the problems and the solutions. Tell us, in brief writings or tapes about problems with health care systems have affected your life, or about successful health care solutions by states, health care providers or others. We will share these with the appropriate Congressional committees. This is your opportunity for your voice to be heard. Please send us your examples as soon as possible. Better yet, fax them to Maggie Roffee here at the President's Committee at 202-376-6868. We don't need polished documents; hand written material is fine.

Thank you!

Sincerely,

A handwritten signature in cursive that reads "Rick Douglas".

Rick Douglas
Executive Director

Health Security Plan

Issues of Concern to People with Disabilities

The President's Committee on Employment of People with Disabilities has prepared this document to assist the disability community in understanding the President's health care reform proposal. The information provided focuses on issues of primary concern to this constituency and does not include information on all aspects of the plan. This summary is based on the most recent information available to the Committee.

President's Committee on Employment of People with Disabilities

Health Security Plan

Overview

The Health Security Plan will guarantee all Americans and legal residents a comprehensive package of health benefits with no lifetime limits, a choice of health plans, and the security of having lifetime coverage. Types of plans that will be available include the traditional fee-for-service selection of individual doctors, a preferred provider network, and the HMO.

People who are employed will be able to sign up for a health plan at work. State governments will set up health alliances to give consumers and small businesses the ability to buy affordable care. Individuals will enroll through a health alliance unless they are covered under government-sponsored programs such as Medicare, Department of Defense, Department of Veterans Affairs, and the Indian Health Service. Individuals eligible for Medicaid receive coverage through regional health alliances.

Security

Every American will receive a Health Security Card that guarantees a comprehensive package of lifetime benefits, regardless of employment or health status.

All plans must meet national standards on benefits, quality and access, but each state may tailor the new system to local needs and conditions.

All employers contribute to health care premiums for employees; both employers and employees share the responsibility. Individuals who are self-employed or unemployed will buy health coverage from the regional alliance. The self-employed individual will be able to take a 100% tax deduction for the cost of the premiums. Discounts will be provided for low-income people.

There are limits on out-of-pocket payments, and discounts to ease the burden on low-income individuals and small employers.

The plan includes a comprehensive benefit package with no lifetime limits on medical coverage in order to guarantee access to a full range of medically necessary or appropriate services.

Individuals who are elderly or disabled and eligible for Medicare will receive coverage for outpatient prescription drugs.

Americans are guaranteed a choice of health plans and providers.

No health plan may deny enrollment to any applicant because of health, employment or financial status, nor may they charge some individuals more than others because of age, medical condition or other factors related to their health status.

All health plans will be required to meet national quality standards and provide useful information that allows consumers to make valid comparisons among plans and providers or to change plans during the annual enrollment period.

Separate programs will increase federal support for long-term care and improve the quality and reliability of private long-term care insurance.

Benefit Package

The Health Security Plan guarantees every American a comprehensive benefits package which includes the following services:

- Hospital Services
- Emergency Services
- Services of physicians and other health professionals
- Clinical preventive services
- Mental health services
- Substance abuse services
- Family planning services
- Pregnancy-related services
- Hospice
- Home health care
- Extended care services
- Ambulance services
- Outpatient laboratory and diagnostic services
- Outpatient prescription drugs and biologicals
- Outpatient rehabilitation services
- Durable medical equipment, prosthetic and orthotic devices
- Vision and hearing care
- Preventive dental services for children
- Health education

Selected Questions and Answers for the Disability Community

The following questions address issues of particular concern to members of the disability community.

- Q. How will the Health Security Plan prohibit exclusion from coverage for persons with pre-existing conditions and prevent rating practices and pricing schedules that discriminate against higher users of health care?**
- A. Through legislation every American will be guaranteed access to a comprehensive package of benefits. The legislation will specifically outlaw discriminatory insurance practices, including overcharging or excluding people because of "pre-existing conditions," and establish community rating, regardless of age, sex, income, health**

status, disability or employment status.

Q. How will the plan ensure continuity and portability of coverage, especially in times of change such as geographic move or new employment status?

A. The Health Security Plan guarantees that you will never lose your health coverage. If you switch jobs and/or move, you remain covered by your current plan until you are enrolled in a new one. If you lose your job, you are still guaranteed health coverage.

Q. How will the plan provide, and what will be the scope of, allowable preventive services, including services to prevent worsening of a disability?

A. The Health Security plan provides for a comprehensive benefit package, including preventive services. Medical coverage guarantees access to a wide range of medically necessary or appropriate services. While the guaranteed benefit is primarily focused on post-acute illness, in the context of disability this could include health care services that might prevent secondary disability or deteriorating function, assist in establishing and maintaining maximum independence and functional ability, and assist in promoting physical and psycho-social well-being.

Q. How will the plan cover access to and coverage for diagnostic services?

A. Diagnostic services and outpatient laboratory services will be part of the comprehensive benefit package guaranteed by legislation.

Q. How will the plan cover long term home and community based services?

A. The plan will increase federal authority to provide home and community based services to individuals with the most severe disabilities without regard to income or age. This will be accomplished through innovative state and federal partnerships. Benefits will include comprehensive personal assistance services defined as assistance (including supervision, standby assistance and cuing) with activities of daily living.

States will have the flexibility to define and design home and community based services, including personal assistance services, case management, homemaker and chore assistance, home modifications, respite services, assistive technology, adult day services, habilitation and rehabilitation, supported employment and home health services not otherwise covered by Medicaid, private insurance, or through the basic health plans.

States will be able to offer vouchers or cash directly to eligible individuals.

Co-insurance will be paid by eligible individuals to cover cost of services according to a sliding scale with those below 150% of the federal poverty standard only having to pay a nominal fee. A tax credit of 50% of the costs up to \$15,000 for assistance with activities of daily living will be available for employed individuals with disabilities.

State plans for home and community based services for people with the most severe disabilities will be developed with input from the disability community.

Individuals currently receiving home and community based services under Medicaid will continue to receive those services.

Q. How will the plan address long term care in medical facilities?

A. There will be incentives in the plan which will shift the balance from institutional care toward home and community based services. Medicaid coverage for nursing home and ICF/MR care will be improved so that individuals may retain up to \$12,000 in personal assets.

Q. How will the plan cover prescription drugs and biologicals?

A. Prescription drugs, biological products and insulin will be part of the guaranteed benefit package.

Q. How will the plan cover durable medical equipment and other assistive devices, and related services?

A. Durable medical equipment and specified assistive devices that would improve functional abilities or prevent further deterioration in function, and training for their use, will be part of the guaranteed benefit package.

Q. How will the plan cover outpatient rehabilitation services?

A. Outpatient occupational therapy, outpatient physical therapy, and outpatient speech-pathology services for the purpose of attaining or restoring speech are covered. Coverage applies to therapies used to restore functional capacity or minimize limitations on physical and cognitive functions as a result of an illness or injury.

Q. How does the plan address extended care services?

A. The plan covers inpatient services in a skilled nursing or rehabilitation facility, after an acute illness or injury as an alternative to continued hospitalization. One hundred days of extended care are available each year.

Q. How does the plan cover home health care?

A. The plan provides the same services as under the current Medicare program (including skilled nursing, physical, occupational and speech therapy, prescribed social services) with the addition of prescribed home infusion therapy and outpatient prescription drugs and biologicals. Such coverage, however, is limited to its use as an alternative to institutionalization for illness or injury. The need for continued therapy is re-evaluated at the end of each 60 days of treatment.

Q. How and to what extent will the plan cover mental health, counseling and substance abuse?

A. Initially, the plan will provide 30 days per episode, with 60 days annually for inpatient or residential treatment of mental health problems; 30 visits per year for outpatient psychotherapy; and 120 days per year for intensive non-residential treatment services.

By the year 2001, a comprehensive, integrated benefit structure with appropriate management replaces prescribed limits on individual services. By 2001 the management of treatment will determine the length of inpatient care. Limits on, and cost-sharing for, outpatient treatment and non-residential treatment services will be eliminated.

Further Information

To obtain a 30-page summary of the Health Security Plan, contact the Superintendent of Documents, P. O. Box 371954, Pittsburgh, PA 15250-7954, and request item number 040-000-00632-0. Cost is \$2.50. To order by phone, call 202-783-3238 (Voice). Individuals who are deaf or hearing impaired may access this number through their State Relay System or by calling 1-800-877-8339.

As with other major legislation related to disability or employment issues, the President's Committee will monitor this bill as it moves through Congress and will issue periodic "Legislative Updates." If you wish to receive these updates, please send your name and address to: Office of Public Affairs, President's Committee on Employment of People with Disabilities, 1331 F Street, NW, Washington, DC 20004.

THE WHITE HOUSE

WASHINGTON

October 6, 1993

Justin Dart, Rick Douglas and Wilson Hulley
President's Committee on Employment
of People with Disabilities
1331 F Street, N.W.
Washington, D.C. 20004-1107

Dear Justin, Rick, and Wilson:

Thank you for the chance to visit with you yesterday. I appreciate the views and information you shared with me. Thanks, too, for the items Wilson sent me.

We discussed three other points on which elaboration would be helpful:

- A longitudinal analysis of the number of persons with disabilities who are employed full-time, employed part-time, and unemployed;
- The data and assumptions underlying the 43 million person estimate, and the basis for believing that this commonly quoted statistic overlooks certain groups of persons with disabilities;
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Sincerely,

Stanley S. Herr
Public Policy

~~Fellow~~ Saturday, October 9, 1993

Thanks. PCE

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Sincerely,

Stanley Herr
Public Policy Fellow

STAN -
Saved As
Thanks PC
on hard drive



President's Committee on Employment
of People with Disabilities

October 04, 1993

Mr. Stan Herr,
Public Policy Fellow
Office of Carol Rasco, Assistant to the President
for Domestic Policy
The White House - 224 OEOB
Washington, D.C. 20500

Dear Stan:

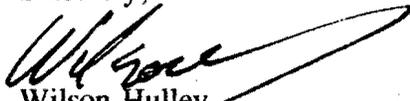
Thank you for joining us today. Here are the items that you requested.

Also, Monograph #50 - **Returning the Individual with Traumatic Brain Injury (TBI) to the Community (An Overview of Programs and Services in Israel)**, is a model for returning persons with TBI disabilities to main stream. It can be obtained from the University of New Hampshire, c/o Institute on Disability, Six Hood House, Durham, NH, 03824-3577. It is a world model that implemented in this country, would make a substantial dent into the current cost of TBI rehabilitation. This treatment process does not allow "warehousing of patients" which opens the door for fraud and civil rights violations of TBI patients. Currently, unnecessary "warehousing of patients" amounts to nearly \$100 billion in health care costs in America annually.

Two national federal investigations underway now, illustrate the dramatic need to shift from "warehousing for insurance revenue" to individual rehabilitation.

I have added you to my 4.40 mailing list that is mainly White House staff. We stand ready to assist your efforts. Please stay in touch.

Sincerely,


Wilson Hulley
Special Assistant



USA TODAY

NO. 1 IN THE USA ... FIRST IN DAILY READERS

NATIONLINE

FROM USA TODAY'S NATIONAL NEWS NETWORK

Disabled passenger boards self



Nancy Flynn

DISABLED ACCESS: Rick Douglas lifts himself aboard United Express flight while an airline employee fits his legs.

he said. United Express spokesman Barron Beneald said that because of safety concerns, non-walking passengers aren't allowed on planes without flight attendants. "We're looking out for the safety of our passengers ... handicapped or not." Douglas noted that the 1988 Air Carrier Access Act does not require airline personnel to "hand carry" disabled passengers on planes under 30 seats. (Editorial, 8A)

Written by Steve Marshall. Contributing: Blair Boardman, Gary Fields and Anne McIlroe

The executive director of the President's Committee on Employment of People with Disabilities had to help himself on and off a 19-seat United Express flight Saturday.

Rick Douglas, who has multiple sclerosis and uses a wheelchair, was dealed boarding at Virginia's Dulles Airport unless he could walk on unassisted. He was en route to an Americans With Disabilities Act awards dinner in Pennsylvania.

"I was publicly humiliated and ... managed to wheel over to the plane's stairs and hike myself up the five steps on my butt,"

MONDAY, AUGUST 2, 1993

NEWSLINE

A QUICK READ ON THE NEWS

DISABLED: Man forced to board plane without wheelchair; airline says it follows regulations. 3A. Editorial. 8A.

BA - MONDAY, AUGUST 2, 1993 - USA TODAY

THE EDITORIAL PAGE

"USA TODAY hopes to serve as a forum for better understanding and unity to help make the USA truly one nation."

—Allen H. Neuharth
Founder, Sept. 15, 1982



Peter S. Prichard
Editor
Karen Jurgensen
Editor of the
Editorial Page
Thomas Curley
President and Publisher

Disabled deserve dignity

Try to imagine being confined to a wheelchair and suffering the humiliation of being told that the only way you can board a small commuter flight is if you get on by yourself.

Rick Douglas, who has multiple sclerosis, doesn't have to use his imagination. This outrage actually happened to him at Dulles International Airport in Washington, D.C., Saturday.

Ironically, Douglas is executive director of the President's Committee on Employment of People with Disabilities and was on his way to make a speech to celebrate progress under the Americans with Disabilities Act of 1990. Douglas dragged himself up the small craft's steps "on my butt" and into a seat while other passengers gawked.

All Americans should be embarrassed that incidents like this still happen. An airline spokesman said that for safety reasons it doesn't allow completely non-ambulatory passengers on planes with-

out flight attendants. He said the airline complies with FAA regulations.

Complying with rules is not the point. The spirit of the disability rights act is to open doors to new opportunities for the 43 million Americans with disabilities.

In that spirit, Attorney General Janet Reno is trying to resolve as many complaints as possible out of court, so businesses can spend their money on opening access instead of on legal fees.

Equal opportunity is the goal. That means more than building ramps, widening aisles and installing devices. It means changing attitudes to allow the disabled the dignity they deserve.

Local governments and businesses should act aggressively to provide access to disabled employees, customers and clients. Not just because it's a civil rights law. Or because it can be good business.

They should make new opportunities available for people with disabilities because it is the right thing to do.

Is the Americans With Disabilities Act working?

Tell USA TODAY readers whether you think the law giving civil rights to disabled residents has been effective. Or comment on other topics. Our opinions are reached in daily dispatches of a 15-member editorial board — people of many backgrounds and interests. We value your views, too.

• Send LETTERS TO THE EDITOR to 1000 Wilson Blvd., Arlington, Va. 22229

• Call toll free 1-800-323-0003. Fax: 7-703-276-5513. Modem: 1-800-323-1788.

Letters most likely to be published are timely, brief and direct, as in today's paper. All will be read, but as much as we'd like to, we can't publish or acknowledge them all. Include your name, address, day and evening phone numbers for verification and, if you wish, your photo for possible publication.



Kup's Column

By Irv Kupcinet

When UAL Chairman Stephen Wolf learned of the humiliating experience of Rick Douglas, the handicapped person who had to drag himself up five steps and crawl onto a United Express plane at Dulles Airport in Washington, he immediately reached out for Douglas and invited him to a meeting in Chicago today. UAL doesn't own United Express but has a marketing agreement with the airline. Douglas, disabled by multiple sclerosis, is executive director of the President's Committee on Employment of People with Disabilities.

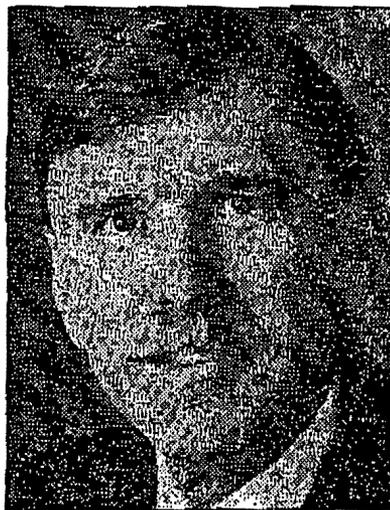
WOLF HAS PROMISED TO RECTIFY the embarrassing situation and today will assure Douglas that henceforth there will be strict compliance with the federal law on equal access for public transportation for disabled persons.

LIZ TAYLOR WAS PALE AND DISTRESSED when we met at

the entrance to the Cirque du Soleil on Sunday afternoon, a benefit for her AIDS foundation. Her first words were, "I'm not well at all and all I'm going to do is welcome the audience and then get back to my hotel. But first I want you to meet my husband, Larry Fortensky." In turn, I introduced her to my granddaughter, Kari.

THOUGH TAYLOR WAS unable to host a post-show reception at Sam's Garage at North Pier, a number of celebrities, including Rosie O'Donnell; Bruce Cohen, producer of her latest movie, "The Flintstones," and Oliver Stone mingled with the philanthropic biggies who paid \$500 to attend the reception to increase AIDS funds. ... O'Donnell departed early for N.Y. and her appearance today with Regis Philbin. She'll pinch-hit for pregnant Kathie Lee Gifford.

THE DIVORCE of Burt Reynolds and Loni Anderson has taken an unexpected ugly twist. Reynolds is upset because Loni was granted temporary custody of their adopted



Stephen Wolf

Trying to salvage the situation

Blackman before her departure by police officer Diana Moss. ... Fast-rising Chicago singer Jeremy Jordan is off on a tour of Southeast Asia, where his single "Try My Love" is at the top of the charts.

TONY BENNETT, singer and artist, will spend part of his 67th birthday today by visiting the young artists at Gallery 37 with Mayor Daley, who will proclaim "Tony Bennett Day in Chicago."



Loni Anderson

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CHICAGO SUN TIMES
CHICAGO, IL
CIRC-(M)558,738 (S)566,888
DAILY NEWSPAPER
AUGUST 3, 1993

Bacon's

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 AUGUST 5, 1993

Bacon's

588

CLARENCE PAGE / PHYSICALLY CHALLENGED

Ignorance is the biggest disability



Page

For the physically challenged, sometimes it is more than the physique that gets challenged. Sometimes your sense of pride takes a beating, too.

That's how it was for Rick Douglas when he was told that if he wanted to board a United Express commuter

plane recently at Dulles International Airport, he would have to crawl in.

So he did. Douglas, who uses a wheelchair because of multiple sclerosis, dragged himself up five steps and crawled onto the plane while passengers and airline personnel watched with dismay.

At the other end, he had to drag himself off, feeling thoroughly humiliated and smelling the traces of oil and aviation fuel in his clothing.

Those are the rules, he was told. When planes do not have a flight attendant, all passengers have to show they can get on and off by themselves. Those are the rules, Douglas was told, an obvious gap in the intent of federal regulations that require transportation offered to the public to be accessible to the disabled.

Douglas said he would investigate, and it turns out that he has more clout than most of the disabled do. He happens to be executive director of the President's Committee on Employment of People with Disabilities.

And the whole sorry episode could hardly have happened on a more appropriate occasion. Douglas was flying to give a speech in Allentown, Pa., to celebrate the first anniversary of the Americans with Disabilities Act (ADA).

He had plenty to talk about. His episode symbolizes how far the nation still has to go to flatten obstacles in the daily lives of the disabled, obstacles whose removal might well increase profits, help more Americans to be

productive and make life easier for everybody.

"Uncut curbs" were named by my friend John Hockenberry as his peskiest obstacle. A reporter on ABC's "Day One," Hockenberry uses a wheelchair because of an automobile accident in his youth that left him paralyzed from the chest down.

A few years ago, when Hockenberry was a National Public Radio reporter in Chicago, he went to the apartment of a woman to whom I referred him for a story interview.

The woman lived in a third-floor walk-up.

When John arrived at her door, she buzzed him in. Soon she was hearing a loud "Thump ... thump ... thump" sound coming from the outside stairwell. She looked out to see, to her shock, John dragging himself and his folded wheelchair up her stairs.

She did not know he used a wheelchair. John hadn't told her. Fortunately, she was able to borrow a friend's downstairs apartment for the interview, saving John the trouble of crawling up all three floors.

But that's the kind of reporter Hockenberry is. Tenacious. He's covered the Middle East and Somalia, among other assignments the fully able find daunting. He offers something to think about whenever I might start feeling sorry for myself.

Folks like Hockenberry and Douglas remind us that disabled people aren't looking for a handout as much as they are looking to make a living like everyone else.

Unfortunately, the ADA has not been the blessing many hoped it would be. Wheelchair ramps and automatic doors are appearing in public places, but too slowly, and the legislation has not done much to help disabled people land jobs, largely because of lingering discrimination, misunderstanding about the law and a sagging economy that has made jobs scarce for everyone.

Only 29 percent of the nation's 22.4 million people with disabilities are employed, which is about as low as it was last year when the ADA took effect.

The law doesn't require employers to hire

the disabled or set a deadline for installing facilities for the handicapped. Remedies must be sought in court or at the Equal Employment Opportunity Commission, either of which takes time.

That's too bad because, when you think about it, there's a lot about the laws to help the disabled that make life easier for the able, too.

I know some grouches gripe about the curb-cut wheelchair ramps that are becoming standard in most sidewalks. Some people bristle at any government-imposed changes in their lives, no matter how worthwhile.

But every time I have to roll my young son down the street in his stroller, I am grateful to the activists who brought us curb cuts.

When I need to open a door with my arms full, I am thankful for doors that swing open automatically at the push of a button.

When I need to carry a heavy load up stairs in a public building, I am grateful for the signs pointing the way to elevators, signs installed for the convenience of the handicapped.

It is unfortunate that the ADA puts an extra burden on building owners and employers in the name of good intentions. Despite the modest tax break the ADA offers businesses that comply, it is something of a cop-out for government to force someone else to pick up the tab for its own good deeds.

Yet you have to wonder sometimes why businesses, in the name of attracting more business and a wider array of capable employees, don't do more on their own to improve access for the handicapped, without being pushed into it by a lawsuit or someone's public embarrassment.

As President Clinton likes to say, as we face an increasingly competitive future, we don't have an American to waste. Yet the talents of too many are wasted anyway.

Clarence Page is a columnist for the Chicago Tribune.

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 CIRC-(M)373,453 (S)456,167
 DAILY NEWSPAPER
 AUGUST 5, 1993

Bacon's

1588 Progress for the disabled moves at a crawl

WASHINGTON

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Clarence Page

CHICAGO TRIBUNE

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 DAILY NEWS
 AUGUST 16, 1993

Bacon's

1787

CONGRESS shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

FIRST AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES, RATIFIED DEC. 15, 1791

EDITORIALS

Make skies friendlier for the disabled

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"Two things kept me going up those steps," said Douglas. "I didn't want to spend hours waiting for another plane. And I didn't want to let down the people in Allentown Penn. who had spent a week educating the area about disabilities. What kind of message would that have been?"

The worst part of the experience for Douglas was seeing the other passengers staring at him. "I tried to make myself feel as good and positive as possible. But people looked like they were watching a public flogging. They were stunned and aghast."

Douglas' ordeal has turned the spotlight on the continued discrimination and humiliation faced by people with disabilities. The awareness is long overdue. In Douglas' words, "If this happened to the person heading the president's committee, imagine what is happening to thousands of other people with disabilities."

In fact a nearly identical situation occurred last week, right here in California where we take pride in our awareness of the rights of disabled people. A young woman on her way to Gov. Wilson's Youth Leadership Forum on disabilities also had to crawl up the stairs to board a commuter plane.

Clearly, the airline industry needs to reverse its policies immediately and make all flights accessible to people with disabilities.

To begin with, the actions of the commuter planes violate 1986 federal legislation guaranteeing access to commercial airlines. Further, as Douglas points out, the airline's reasoning was flawed.

Flight attendants do not help passengers on and off planes, therefore the absence of the attendant was not a legitimate consideration. In addition, people without disabilities are not the only passengers who might have difficulty evacuating in an emergency: the elderly, children and pregnant women could be other examples.

In addition, the regulations cited by airline officials are confusing and inconsistent. One airline interpreted them to mean it would not provide assistance while another thought the regulations required it to assist passengers with disabilities.

More to the heart of the issue, the lifts that would have prevented the entire incident are available through the federal airport improvement program.

United Airlines contracts with United Express to provide commuter service. So why didn't United make sure that United Express have the lifts? United initially claimed the equipment would not fit its small planes. But USAF has the equipment on its planes of the same make.

In a Catch 22, some airports say they can't provide the lifts until they've made the airports accessible. They're saying you can come to our airports but you can't get on the planes," Douglas says. We think the stalled progress on airplane accessibility looks like a blatant and inexcusable lack of will.

But there may be a silver lining to this cloud. Douglas says Stephen Wolf, chairman and chief executive officer of United Airlines, has vowed his planes will be accessible to people with disabilities. Douglas hears the airline has ordered five lifts.

"We might have ended a logjam on this issue," Douglas said. "I hope this experience pushes things forward."

So do we. The confusing regulations must be clarified. The laws ensuring accessibility and equal treatment must be enforced vigorously. It's long past time when people with physical disabilities must endure public humiliation to draw public attention to violations of their fundamental rights.

DETROIT NEWS
 DETROIT, MI
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 DAILY NEWS
 AUGUST 8, 1993

Bacon's

Some find ignorance an even greater disability

WASHINGTON — For the physically challenged, sometimes it is more than the physique that gets challenged.

Sometimes your sense of pride takes a beating, too.

That's how it was for Rick Douglas when he was told that if he wanted to board a United Express commuter plane recently at Dulles International

Airport, he would have to crawl in.

So he did. Douglas, who uses a wheelchair because of multiple sclerosis, dragged himself up five steps and crawled onto the plane while passengers and airline personnel watched with dismay.

At the other end, he had to drag himself off, feeling thoroughly humiliated and smelling the traces of oil and aviation fuel in his clothing.

Those are the rules, he was told. When planes do not have a flight attendant, all passengers have to show they can get on and off by themselves.

Douglas said he would investigate, and it turns out that he has more clout than most of the disabled do. He is executive director of the President's Committee on Employment of People with Disabilities.

And the whole sorry episode could hardly have happened on a more appropriate occasion. Douglas was flying to give a speech in Allentown, Pa., to celebrate the first anniversary of the Americans with Disabilities Act (ADA).

He had plenty to talk about. His episode symbolizes how far the nation still has to go to flatten obstacles in the daily lives of the disabled, obstacles whose removal might well increase profits, help more Americans to be productive and make life easier for everybody.

"Uncut curbs" were named by my friend John Hockenberry as his pettiest obstacle. A reporter on ABC's Day One, Hockenberry uses a wheelchair because of an automobile accident in his youth that left him paralyzed from the chest down.

A few years ago, when Hockenberry was a National Public Radio

reporter in Chicago, he went to the apartment of a woman to whom I referred him for a story interview.

The woman lived in a third-floor walk-up.

When John arrived at her door, she buzzed him in. Soon she was hearing a loud "Thump ... thump" sound coming from the outside stairwell. She looked out to see, to her shock, John dragging himself and his folded wheelchair up her stairs.

She did not know he used a wheelchair. John hadn't told her. Fortunately, she was able to borrow a friend's downstairs apartment for the interview, saving John the trouble of crawling up all three floors.

But that's the kind of reporter Hockenberry is. Tenacious. He's covered the Middle East and Somalia, among other assignments; the fully able find daunting. He offers something to think about whenever I might start feeling sorry for myself.

Folks like Hockenberry and Douglas remind us that disabled people aren't looking for a handout as much as they are looking to make a living like everyone else.

Unfortunately, the ADA has not been the blessing many hoped it would be. Wheelchair ramps and automatic doors are appearing in public places, but too slowly, and the legislation has not done much to help disabled people land jobs, largely because of lingering discrimination and a sagging economy that has made jobs scarce for everyone.

Only 29 percent of the nation's 22.4 million people with disabilities are employed, which is about as low as it was last year when the ADA took effect.

The law doesn't require employers to hire the disabled or set a deadline for installing facilities for the handicapped. Remedies must be sought in court or at the Equal Employment Opportunity Commission, either of which takes time.

Yet you have to wonder sometimes why businesses, in the name of attracting more business and a wider array of capable employees, don't do more on their own to improve access for the handicapped, without being pushed into it by a lawsuit or someone's public embarrassment.

■ Clarence Page writes for the Chicago Tribune.



CLARENCE PAGE

OAKLAND TRIBUNE
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 DAILY NEWS PAPER
 AUGUST 16, 1993

Racon's

Make skies friendlier for the disabled

THE irony was overwhelming. Here was the executive director of the President's Committee on Employment of People with Disabilities on his way to a speech celebrating the third anniversary of the passage of the Americans with Disabilities Act being forced to crawl up the stairs to board a plane.

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Bacon's

1588
**United takes steps
to serve disabled**

Man denied boarding meets with chairman

By MARTHA STOTT
Daily Herald Business Writer

By his own admission, Rick Douglas likes to focus on getting the job done.

That focus helped him last week maneuver out of his wheelchair and onto a 19-seat commuter plane when he was denied boarding at Dulles Airport in Washington, D.C.

Douglas, who has multiple sclerosis, was determined to be on the Atlantic Coast Airlines-United Express flight to Allentown, Penn., in time to deliver a keynote address Saturday to a group of 100 people with disabilities.

"I thought if I could get my butt on the first step, I could make it onto the plane," said Douglas, executive director of the President's Committee on Employment of People With Disabilities. "I had forgotten about all that aviation fuel and oil" that he had to get through to get on the plane.

This week, Douglas is focusing on how his humiliating experience can advance the cause of disabled people denied boarding at airports everywhere.

To that end, Douglas met with United Airlines Chairman Stephen M. Wolf late Tuesday afternoon, at Wolf's invitation. United Airlines has a marketing partnership agreement with Atlantic Coast Airlines, which is a United Express carrier.

Wednesday, Douglas said he was pleased with the results of his meeting with Wolf.

"Wolf made several commitments," said Douglas, in Chicago Wednesday to attend a National Council on Disabilities public hearing. "His first commitment was, 'We are going to carry passengers with disabilities and not deny boarding.'"

Douglas and UAL spokesman Joe Hopkins said Wolf pledged:

■ To call on United Airlines partners to make sure passengers are not denied boarding and to work within the industry toward that goal.

■ To help free federal money to purchase airlifts and other equipment to make boarding possible for disabled fliers.

"The disabled community feels an enormous sense of urgency about this," Douglas said. "Commuter flights are how Americans are traveling ... There are even capitals of some states that are only served by commuter airlines."

United's Wolf was not available for comment Wednesday; a cold water tank had ruptured at a building at United's Elk Grove Township headquarters, displacing about 20 workers and disrupting electrical service in the building. But spokesman Hopkins said the chairman viewed the meeting with Douglas as productive.



Rick Douglas said his wife, Nancy, snapped this photo as he boarded an Atlantic Coast Airlines commuter flight Saturday at Dulles Airport in Washington, D.C.

Associated Press Photo

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GENERAL NEWSPAPER-THU
AUGUST 5, 1992

RECORDS

Lesson of an insult to the dignity of disabled man

Next time you get irritated when you see a row of empty handicapped parking spaces in a crowded parking lot or get frustrated by the bureaucratic complexities of the Americans with Disabilities Act, think of Rick Douglas. Maybe you saw his picture in a daily newspaper. The photo showed Douglas dragging himself, one terribly difficult step at a time, into a United Express commuter airplane. The picture said thousands of words about the pain of being disabled, not just the physical pain, but the pain inflicted by a society that, in spite of increasing awareness of the rights of the disabled, persists in denying them the dignity they deserve.

Incidents like the one that in his words "publicly humiliated" Rick Douglas no doubt happen every day, but this one made the newspapers because Douglas is executive director of the President's Committee on Employment of People with Disabilities. On his way to make a speech about progress under the disabilities act, Douglas, who uses a wheelchair because he is disabled by multiple sclerosis, was told by airline personnel that he couldn't take his flight unless he could board the aircraft by himself. Proud and deter-

mined, as are so many who are disabled, Douglas did exactly that—managing, as he said, "to wheel over to the plane's stairs and hike myself up the five steps on my butt."

Among the lessons of this sorry episode is that, when it comes to the way we treat disabled citizens, the law can't do it all. The Americans with Disabilities Act, for all the costly mandates it inflicts on businesses and landlords, apparently did not cover the outrageous insult United Express inflicted on a disabled passenger. Even the airline's explanation was insulting: Its spokesman said airline personnel were not required by federal law to "hand carry" disabled passengers onto planes.

Disabled persons don't ask to be hand carried through life. They ask for the opportunity to make their own way through life. They deserve that and they deserve the recognition that, regardless of the extent of their disabilities, they are entitled to an equal share of human dignity.

Most Americans understand that. A few, and a few businesses and institutions, do not. We should all work to educate them. //

OUR VIEW

1078

BEACONS

1588 Disability discrimination violates dignity

Rick Douglas crawled up the stairs to a 19-seat commuter plane earlier this month for several reasons:

► He did it, in part, because he is a national figure who had a commitment to keep.

► He did it because no one at Washington's Dulles Airport would help him.

► He did it because he had to board that plane.

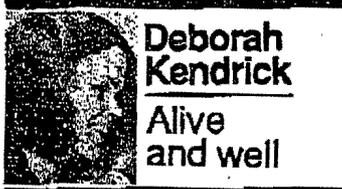
And because his wheelchair couldn't catapult from ground to ship like some Hollywood stunt, he had no choice but to drag himself — immobile legs and all — up the stairs.

The more I think about the demeaning treatment endured by Douglas, director for the President's Committee on Employment of People with Disabilities, the more convinced I became that it served as a visible reminder that discrimination against people with disabilities still exists — with or without a law prohibiting it.

Law didn't end it

Nearly 30 years have gone by since passage of the law "ending" discrimination against blacks and women, who still experience the frustration of exclusion. Why then, after only three years, should we expect more for people with disabilities?

There is no easy solution. Many people with disabilities don't know the extent of their rights. People without disabilities don't know the full extent of the law. The Ameri-



Deborah Kendrick
Alive and well

cans with Disabilities Act is complicated. Its basic premise, though, is one we should all understand: It is against the law to discriminate.

But habits are ingrained, misconceptions deeply rooted, and it is still quite a stretch for some of us to understand what really constitutes discrimination. Here are a few examples:

► A deaf woman takes her sick child to the emergency room, and is treated like a child herself. A serious procedure is explained, but because no sign language interpreter is provided, she is ignored as the adult in charge.

► A visually impaired man is in line at the bank, and three customers step in front of him.

► A severely hearing impaired child is promoted to the next grade without having met all criteria.

There are countless examples of discrimination. Usually, they are violations of the law, but far more often, they are violations of human dignity.

It's an attitude

They are born of the attitude that a person with a disability is somehow less than, inferior, defec-

tive. A man's time is less valuable, a woman's instincts less maternal, a child's future less significant if disability is part of the picture.

Douglas gave us a dramatic example of what discrimination against people with disabilities looks like. The Americans with Disabilities Act is no panacea for equality.

Whether it's at an airport, job interview or department store, discrimination is about ignorance on one side and pain on the other.

Discrimination is part of the experience of disability. And until we start realizing that a deaf mom is just a mom who can't hear and a

wheelchair-using executive needs to get on the plane as much as every other passenger, no law in the world will make those hidden misconceptions that inflict so much pain go away.

Alive & Well appears every other week in Tempo. Deborah Kendrick, of Cincinnati, is a writer who is blind and is a nationally recognized advocate for people with disabilities. If you have a question about disabilities or a story to share, write: Deborah Kendrick, Alive & Well, Cincinnati Enquirer, Tempo, 312 Elm St., Cincinnati 45202.



President's Committee on Employment
of People with Disabilities

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September 9, 1993

KEY ISSUES

- * Health Care Reform**
 - attendant services
 - inclusion
 - independence
 - empowerment

- * Education**

- * Social Security
and employment disincentives**

- * Job training**

- * Housing**
 - accessible and affordable

- * Transportation**
 - increased and appropriate

National Health Federation

12-21 2pm

Adm. Celeste Justin Dent

Denise for Donald (CCO) ^{Chair} Health System Groups Tamb O'Keefe Tony Yang
_{Come for Campaign} _{Adm.} _{Health} _{CCO}

Justin Dent -- Patriots -- now colleagues

"if you're dead on paralyzing psi -
ADA rights not very good
lobby -- deceptions + lies

Think about -- support the President,
but admit to the hell to make
it better.

Lobbying ~~and~~ campaign costs too much;
illegal to lobby for regulation law, but...

Celeste panel HR 3500

100 in House

37 cosponsors in Senate

Fine point -- Health care insurance
designed for health

Health care as element of citizenship
-- moves;

Health security card

Less limits debate re specifics of concrete
benefit package v. other bills
Just have a process

"Real reform quit rhetorical reform"
-- that can't ever be taken away
-- chronic condition

same for Sec Act --

Ramirez -- "prosecution + artifacts"

Celeste: argument -- pay for basics
of the system for the
individually appropriate upgrade

Newly
arrived DORT.

5768



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pd 9/23*

**THE PRESIDENT'S COMMITTEE ON
EMPLOYMENT OF PEOPLE WITH DISABILITIES**

1331 F STREET, N.W., WASHINGTON, D.C. 20004-1107
(202) 376-6200 VOICE (202) 376-6205 TDD (202) 376-6219 FAX

*orig: CSR
re: Herr*

*Let's
discuss*

CHAIRMAN
JUSTIN DART

*in
our
meeting
next week,
CSR*

September 20, 1993

Ms. Carol Rasco
Assistant to the President
Domestic Policy
The White House
Washington, D.C. 20500

SEP 22 RECD

Dear Ms. Rasco:

Thank you so much for meeting with my colleague Dale Brown to discuss disability policy. You requested a letter from our agency outlining a program through which the Clinton Administration could provide model leadership for the harmonious implementation of a major civil rights law - the Americans with Disabilities Act (ADA).

ADA is the foundation for fulfilling the promises of the Declaration of Independence and the Constitution to 43 million persons with disabilities who form our nation's poorest, most isolated, and dependent minority. Almost 70% of employable Americans with disabilities are out of work.

ADA is the world's first comprehensive civil rights law for people with disabilities. It is a landmark in the evolution of humanity. After an eternity of outcast status, poverty and early death, people with disabilities are declared full members of the human race. For the first time they will have a real opportunity to move from charity and welfare, from institutions and isolated back rooms, to become employees, consumers, taxpayers and welcome participants in their communities.

Some anti-civil rights lobbyists say that ADA is going to be costly for business, that it will bankrupt small business. They say businesses will be forced to pay salaries for unqualified employees and enormous costs to make facilities accessible, and that they will be overwhelmed by litigation.

The truth is that ADA specifically states that no business will have to employ a single person who is not the best qualified candidate for the job, that no business will have to spend a single penny that it can't afford to spend on renovating facilities or providing special accommodations. The truth is that 88% of the accommodations for employees with disabilities cost less than \$1,000-; 69% less than \$500-; 50% less than \$50; 31% nothing. The truth is that the predicted avalanche of litigation has not

DIGNITY, EQUALITY, INDEPENDENCE THROUGH EMPLOYMENT

occurred. People with disabilities want jobs, not lawsuits. The truth is that it costs America almost \$200 billion per year in public and private payments to exclude millions of Americans with disabilities from the productive mainstream. The implementation of ADA will cost a fraction of one percent of that amount.

President Clinton has said, "I am strongly committed to full implementation and enforcement of the ADA, because I believe that our entire nation will share in the economic and social benefits that will result from full participation of Americans with disabilities in our society."

First let me say that the President and his Administration have already made a good start toward model implementation. He has made repeated and firm pledges to implement ADA. He has appointed some magnificent pioneers of disability rights and ADA to serve in his administration: Judy Heumann, Marca Bristo, Bob Williams, Bob Simpson, Max Starkloff and many more. He has included people with disabilities in the decision making process. On July 27th he conducted an historic first face-to-face Presidential dialogue with leaders of the disability community. Attorney General Janet Reno has also met disability community leaders to discuss ADA, has made firm pledges to enforce the law, and has announced increases in ADA technical assistance funds and the number of staff attorneys assigned to implementation. Your request for this letter is another good example of positive ADA action.

RECOMMENDATIONS

Following is a skeleton outline of suggestions for positive ADA action by the Clinton Administration. This is not a plan for an hypothetically "ideal" approach, but rather a listing of actions which we know are practical in the current financial, political and personnel reality.

1. PERSONAL ACTION BY THE PRESIDENT

Most important is visible leadership by the President personally.

- He should make brief mentions of ADA and the rights of people with disabilities as a high priority - in public speeches, talk shows, TV, radio, PSAs, videos, to various groups. In most cases a sentence or a phrase will suffice, or simply listing people with disabilities among those whose rights and economic/employment situation must be improved. Special attention should be given to

*Health
Care*

brief, positive mentions when the President addresses groups with major potential to provide positive leadership for voluntary compliance with ADA: business; labor; architects; lawyers; builders; state and local government; media. The upcoming focus on health care reform will offer numerous opportunities for the President to mention that his program will go a long way toward keeping the promise of ADA to millions of Americans with disabilities whose lives are severely limited by the present discriminatory systems.

- There should be systematic inclusion of people with disabilities in Presidential events, in Washington and local areas, just as there is systematic inclusion of other minorities - on stage - at receptions, lunches, dinners, photo ops, etc.

- There should be followup face-to-face meetings with disability rights leaders. Every time this occurs the word goes within a few days to the disability community and the federal leadership that disability issues are important in America. Consciousness is refocused from the trivial to the central thrust of policy; there is increased motivation to act. One such meeting could deal with health care reform. The 43 million people with disabilities, their families, service providers and advocates will be valuable allies in the struggle for responsible action.

- There should be systematic recognition of people and organizations - in and out of government - that voluntarily comply, or effectively promote voluntary compliance. There could be a form letter for the President's signature, photo ops, mentions in speeches to groups, etc. The President's Committee could staff a small disability community committee that would screen recommendations from entities such as EEOC, DOJ, the Consortium for Citizens With Disabilities (CCD), the Disability Rights Education and Defense Fund (DREDF), the National Council of Independent Living (NCIL), the National Council on Disability (NCD), DNC, the Access Board and state groups and pass them to the White House. My agency could also promote local, state and national awards for positive ADA action.

- The great things the President is doing for ADA and disability rights should be given much more publicity. His positive attitude toward people with disabilities, if properly communicated, will serve as a dynamic model for the nation. For example the appointment of Bob Williams to head the Administration on Developmental Disabilities at HHS has the potential for major media

coverage. He is probably the first non-verbal person in history to hold a major Federal position.

2. THE PRESIDENT AND THE AGENCIES

The President should send a memo to all agencies emphasizing the need to make every Federal entity a visible model of creative accommodations for people with disabilities, and an aggressive advocate for voluntary compliance with ADA. He should follow up with ongoing brief mentions of ADA and disability rights at cabinet and staff meetings and in written communications. He could issue an Executive Order calling for an action plan to bring Federal programs into harmony with the spirit of ADA (a draft coordinated by ADA author Bob Silverstein has already been submitted).

Appropriate entities within every agency should be mandated to coordinate and promote ADA implementation: the employment and promotion of qualified people with disabilities; modifications to facilities and systems that enable employees, clients and visitors with disabilities to participate fully; the unique ways that the particular agency can communicate the message of voluntary compliance to the public.

Attorney General Janet Reno is a natural choice to lead the ADA charge for the Administration at the cabinet level; she has already started to do this, and brilliantly. But we need all Administration leadership fully involved. Likewise the DNC should encourage all Congressional, State and local candidates and organizations to do the same. Civil rights for people with disabilities should become part of the litany of the President's Administration and of the politics of his party.

3. EDUCATING THE PUBLIC ABOUT ADA

No law has ever been successful without citizen knowledge and citizen enforcement. The White House and DOJ should strongly encourage all entities with ADA enforcement and education responsibilities and potential to move aggressively to promote voluntary compliance, by making all impacted persons and organizations aware of their rights and obligations, and of how to fulfill those rights and obligations efficiently and economically. Public programs operated under existing and special funding, private efforts and the media have raised public awareness of ADA from 18% to 41% during the past two years. But there are still millions who are not aware. Effective training programs like those

funded by DOJ and EEOC and operated by DREDF, should be continued and expanded. Reliable information sources should be given the resources to answer inquiries.

ADA education through secondary and higher education would be effective in the long run. This would require modest funding in some cases, but in many instances could be accomplished through existing staff and resources. Every major Federal agency has enormous power to disseminate information through existing channels. The National Council, the President's Committee, DOJ, EEOC, The Access Board and appropriate private entities could cooperate to provide models of informational materials.

4. ADA LITIGATION

While all parties to potential ADA litigation should be encouraged to achieve negotiated solutions, there must be aggressive legal action when conscious, blatant violations continue after positive negotiations have failed. We simply do not have the staff and funding to investigate and prosecute every violation of ADA in a thorough and timely manner, but vigorous, well publicized prosecution of selected flagrant violators can send a powerful message.

5. A NATIONAL POLICY TO IMPLEMENT ADA

The Administration should develop a detailed long range national policy to implement ADA, and to keep the clearly implied promise of ADA - that people with disabilities will be fully empowered as equal participants in the productive mainstream. After Marca Bristo is confirmed as Chair of the National Council on Disability, that entity could gather a select group of disability community leaders, members of the Clinton administration and of non-governmental organization and to draft such a policy: "Keeping the Promise - From ADA to Empowerment."

6. WHITE HOUSE MEETING ON ADA

After the initial months of intense Presidential focus on the health care reform program, the President could host an ADA meeting in or near the White House for representatives of business, architects, labor, lawyers, state and local government, and the disability community. There could be a progress report by White House staff, the Attorney General, other appropriate officials and disability community leaders, and a positive statement by the

President. There could be special recognition for entities that had been models of positive compliance (A. G. Reno did this last July 26th). Such meeting might be held around next July 26th, the fourth anniversary of the signing of ADA, when employers of 15-25 persons will be required to comply. An option to give it double impact would be to issue an advance announcement of it which expressed the President's support for full, voluntary compliance with ADA. The logistics of this event could be handled by the National Council, the President's Committee, and a consortium of entities.

7. ADA SENSITIVITY TRAINING

Appropriate Administration and private disability rights entities could also cooperate to form teams that would put on brief, punchy, ADA sensitivity orientations meetings for key departments in the White House and other agencies. These could include brown bag lunches that would infringe on very little working time. Our agency could provide logistical support.

DISCUSSION:

COST: Most of the recommendations in this letter can be implemented simply through better utilization of existing resources and staff. My agency, for example, could contribute its share of staff time, supplies, printed materials, meeting space, teleconference sponsorship, etc. Excellent publications already exist, and could be edited to communicate to particular constituencies. Funding could be provided within budgets by reallocation of resources in larger agencies, and by Congress.

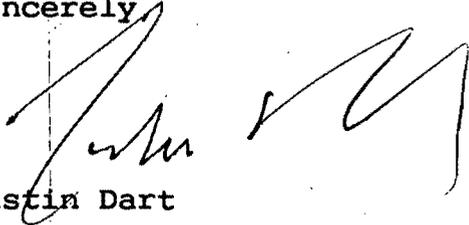
PERSONNEL: Effecting change in government always requires establishing a critical mass of knowledgeable, motivated leadership. This Administration is developing a critical core of people who have already demonstrated ability and willingness to do everything in this plan: The President, the Attorney General, Secretary Shalala, yourself, Mike Lux, Debbie Fine, Bob Boorstin, Paul Miller, Judy Heumann, Marca Bristo, Bob Simpson, Bob Williams, Rick Douglas and many others. Secretaries Cisneros and Pena have cooperated with the disability community in the past. Secretaries Brown and Reich have backgrounds which suggest that they might be receptive. DOJ and EEOC have good people in place. Congress people like Tom Harkin, Steny Hoyer and Bob Silverstein are making major contributions. People outside of government like Pat Wright, Fred Fay, Paul Marchand, Bob Sevigny, and Tony Coelho are already

playing key roles. What remains is to facilitate nomination and confirmation procedures to get the President's team in place, to focus and to systematize efforts, and to find a person to orchestrate those processes. That person could be you, or a person designated through your suggestion. One or more ADA knowledgeable staff could be detailed to help you.

I realize that this is an ambitious plan, and that not all of it can be implemented at once. I suggest a meeting or teleconference among Dale, you, myself and members of our advisory group to discuss priorities and concrete action. I will soon be replaced by the President as Chair of PCEPD, but it would be a privilege to continue to work with you and your colleagues on this historic project. The successful implementation of ADA will be the foundation for a revolution in the quality of the lives of billions of humans in generations to come. Failure is unthinkable.

I am deeply grateful for your personal leadership for people first change. Please let me know if there is any way I can be of service to you or the President.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Justin Dart', written in a cursive style.

Justin Dart

NOTE: I would like to acknowledge the assistance of several distinguished disability community colleagues in writing this letter - Nancy J. Bloch, Executive Director, National Association of the Deaf; Marca Bristo, the President's nominee to Chair the National Council on Disability; Dale Brown, The President's Committee; Jay Centifanti, Chair, the National Forum on Psychiatric Disability; Dr. Fred Fay, National Co-Chair, Clinton-Gore disability constituency campaign; Dr. I. King Jordan, President, Gallaudet University; Paul Marchand, the ARC and Chairman, the Consortium for Citizens with Disabilities; Oral Miller, Director, American Council of the Blind; Fred Patterson, Vice President of Johnson & Johnson; Bob Silverstein, Director, the Senate Subcommittee on Disability Policy, author of the final version of the ADA; Bob Simpson, the President's nominee to head

vocational rehabilitation; Tony Young, Director, Residential and Community Support Services, National Association of Rehabilitation Facilities.

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