


Memorandum

Date: August 5, 1993

To: Senator Dole

From: Alec Vachon 

Re: Floor Statement on ADA/Architectural Barriers Act

Last week we marked the 3rd anniversary of ADA. But forgotten is next Wednesday's 25th anniversary of the law that started it all -- the Architectural Barriers Act of 1968. Attached is a short floor statement that ties the two together; provides a unique historical perspective; and speaks to future issues we might address.

Incidentally, Senator Stevens was appointed to finish Senator Bartlett's term, and knows the described history quite well. Senator Bartlett, at the instigation of his aide, Hugh Gallagher, was a vigorous advocate for accessibility, and personally responsible for prompting removal of barriers at the Kennedy Center, Library of Congress, and Dulles Airport, among other places. As I wrote you earlier, Gallagher is the Dole Foundation's nominee for the Betts Award this year; his great-grandfather was one of Gove County's first homesteaders; and author of two important books on disability history -- one about FDR's disguise of his disability, the other about Nazi extermination of the disabled.

I know time before recess is very short. Three options:

I will read on the floor.

I will read on floor -- but after recess. (N.B.: The statement can be modified to remain fresh.)

Enter into Congressional Record at this time.

Other.

MR. PRESIDENT, LAST WEEK WE MARKED THE THIRD ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT. AS MEMBERS OF THIS CHAMBER KNOW WELL, ADA WAS A WATERSHED EVENT. WE DETERMINED UNEQUIVOCALLY THAT OUR NATION'S PROPER GOALS REGARDING PEOPLE WITH DISABILITIES ARE TO ASSURE EQUALITY OF OPPORTUNITY, FULL PARTICIPATION, AND ECONOMIC SELF-SUFFICIENCY.

BUT LESS CELEBRATED, INDEED APPARENTLY FORGOTTEN, IS NEXT WEEK'S SILVER ANNIVERSARY OF THE PROGENITOR OF ADA -- THE ARCHITECTURAL BARRIERS ACT OF 1968 (P.L. 90-480). ON AUGUST 12TH, 25 YEARS AGO, THE BARRIERS ACT BECAME THIS NATION'S FIRST ATTEMPT TO LEGISLATE AN ACCESSIBLE AND INCLUSIVE SOCIETY.

MR. PRESIDENT, SENATOR E.L. "BOB" BARTLETT OF ALASKA INTRODUCED THE BARRIERS ACT IN JANUARY 1967. ONLY A PAGE LONG AND WITH NO ENFORCEMENT PROVISION, ITS PURPOSE WAS MODEST BUT COMPELLING -- THAT BUILDINGS BUILT FEDERAL FUNDS BE ACCESSIBLE TO PEOPLE WITH DISABILITIES.

ONLY SEVERAL BLOCKS FROM THE CAPITOL IS ONE PLACE THAT PROMPTED THIS LEGISLATION. IN THE EARLY 1960'S, A YOUNG AIDE TO SENATOR BARTLETT, HUGH GALLAGHER, A WHEELCHAIR USER, WANTED TO VISIT THE NATIONAL GALLERY OF ART ON WEEKENDS, AS DO THOUSANDS OF OTHER AMERICANS. BUT TO ENTER UNASSISTED HE NEEDED A RAMP AT THE CONSTITUTION AVENUE ENTRANCE.

GALLAGHER WROTE TO THE NATIONAL GALLERY, AND WAS TOLD THAT A RAMP WOULD DESTROY THE ARCHITECTURAL INTEGRITY OF THE BUILDING. HE HAD THE AUDACITY TO BELIEVE THAT A NATIONAL MUSEUM BELONGED TO ALL AMERICANS, NOT JUST THOSE WHO COULD WALK INTO IT.

DESPITE THIS REFUSAL, GALLAGHER GOT HIS WISH. SENATOR BARTLETT PREVAILED ON THE MUSEUM'S TRUSTEES TO INSTALL A RAMP IN 1965. MADE OF WOOD AND INTENDED ONLY TO BE TEMPORARY, THAT RAMP IS STILL THERE TODAY AND WORKS FINE. FOR THOSE WHO STILL BELIEVE ARCHITECTURAL MODIFICATIONS MUST BE EXPENSIVE, THIS RAMP AGAIN PROVES OTHERWISE.

BUT TO IMPROVE ACCESSIBILITY MORE GENERALLY, GALLAGHER DRAFTED THE BARRIERS ACT. THE BARRIERS ACT WAS THE LAST LEGISLATIVE ACCOMPLISHMENT OF SENATOR BARTLETT, WHO DIED IN DECEMBER 1968. DESPITE ITS LIMITED SCOPE, THIS LEGISLATION HAS BEEN THE MODEL FOR ALL SUBSEQUENT DISABILITY RIGHTS LAWS. I WONDER WHAT SENATOR BARTLETT WOULD THINK TODAY OF THE PROFOUND CHANGES IN OUR VALUES AND LAW INITIATED BY THE BARRIERS ACT.

MR. PRESIDENT, WE HAVE COME A LONG WAY IN 25 YEARS, BUT MUCH REMAINS TO BE DONE. LET ME CITE JUST TWO AREAS.

FIRST, EMPLOYMENT AND ECONOMIC SECURITY OF PEOPLE WITH DISABILITIES. TODAY WE SPEND OVER \$26 BILLION ON SOCIAL SECURITY DISABILITY PROGRAMS AND VOCATIONAL REHABILITATION. DESPITE THESE GREAT EXPENDITURES, ONLY 40 PERCENT OF PEOPLE WITH DISABILITIES ARE WORKING. IT SHOULD NOT BE SURPRISING THEN THAT 30 PERCENT OF

PEOPLE WITH DISABILITIES IN POVERTY, AND MANY MORE ARE WHAT THE FEDERAL GOVERNMENT CALLS "NEAR POOR." THE RATE OF POVERTY AMONG THE DISABLED IS NEARLY 3 TIMES THAT FOR THE GENERAL POPULATION. SOMETHING IS PROFOUNDLY WRONG, AND WE MUST DO BETTER.

SECOND, HEALTH CARE REFORM. FOR MANY OBVIOUS REASONS, THERE IS PERHAPS NO OTHER GROUP FOR WHOM HEALTH CARE REFORM HOLDS SUCH OPPORTUNITY AND PERIL. APART FROM ISSUES OF ACCESS AND EQUITY THAT CONCERN EVERY AMERICAN, PEOPLE WITH DISABILITIES HAVE A KEEN INTEREST IN PERSONAL ASSISTANCE, ASSISTIVE TECHNOLOGY AND DURABLE MEDICAL EQUIPMENT, REHABILITATION SERVICES, AND LONG-TERM CARE -- WHICH TODAY ARE NOT COVERED OR ONLY PARTLY COVERED BY MANY INSURANCE PLANS.

IN CLOSING, MR. PRESIDENT, I WOULD LIKE TO ADDRESS THE FUTURE, THE PLACE WHERE WE ALL SHALL LIVE. WITH THE AGING OF THE AMERICAN POPULATION AND THE INCREASING SUCCESS OF MEDICINE IN KEEPING PEOPLE ALIVE FROM ONCE FATAL CONDITIONS, ALTHOUGH OFTEN WITH SEVERE AND LIFELONG IMPAIRMENTS, AN UNPRECEDENTED NUMBER OF AMERICANS ARE PREDICTED TO BECOME DISABLED OVER THE NEXT TWO DECADES. ONE LIKELY SCENARIO SUGGESTS A 42-PERCENT RISE IN DISABILITY PREVALENCE BY THE YEAR 2010.

MR. PRESIDENT, FOR THIS REASON I BELIEVE DISABILITY WILL COME TO DRIVE OUR HEALTH AND SOCIAL WELFARE POLICIES IN WHOLLY UNEXPECTED WAYS. LET US PREPARE NOW, OR BE PREPARED FOR THE CONSEQUENCES.



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photos to
Clinton, Bill
ADA 3rd Milv