



TELECOPIER TRANSMITTAL

DATE: 5/9/95

TO: Tom Joseph

Fax: 942-4281 (2)
393-2630

FROM: Alexander Vachon

Office of Senator Bob Dole
141 Hart Senate Office Building
Washington, D.C. 20510

(202) 224-6521

NUMBER OF PAGES TO FOLLOW: 6

SUBJ: _____

Originals in the mail.

United States Senate

WASHINGTON, DC 20510

April 28, 1995

The Honorable Victor Ashe
President
U.S. Conference of Mayors
1620 Eye Street, N.W., Suite 4
Washington, D.C. 20006

Dear Mr. Ashe:

As the principal co-sponsors of the Americans with Disabilities Act (ADA), we are writing to bring to your attention two letters we recently sent to the U.S. Department of Justice regarding ADA, and to report to you interest by the Justice Department in improving technical assistance to your members.

As you might expect, we are big supporters of ADA, and worked hard to craft legislation that was fair and balanced--and with safeguards for costs to local governments. In this regard, we have heard that curb cuts are a unique, significant capital expense for many communities. Thus, in one of the enclosed letters, we have asked the Justice to extend the time period for their installation--up to 10 years in some cases.

In the second letter, we have asked Justice to simplify the process for approving local building codes as meeting minimum ADA standards--for jurisdictions that wish to have their building codes so certified.

In discussions with Justice officials, they indicated a keen interest in improving technical assistance to your members, including definitive, timely answers about ADA requirements. In particular, we have heard that some communities are stymied by long delays in getting responses and a lack of practical advice about what the law requires. We understand that Justice will be inviting staff of the U.S. Conference of Mayors to meet with them to discuss this matter, and we hope they will participate.

If we can be helpful in any other way, please let us know.

Sincerely yours,



TOM HARKIN



BOB DOLE

The Honorable Victor Ashe
April 28, 1995
Page 2


EDWARD M. KENNEDY


ORRIN G. HATCH


JOHN MCCAIN

United States Senate

WASHINGTON, DC 20510

April 28, 1995

The Honorable Randall Franke
President
National Association of Counties
440 First Street, N.W., 8th Floor
Washington, D.C. 20001

Dear Mr. Franke:

As the principal co-sponsors of the Americans with Disabilities Act (ADA), we are writing to bring to your attention two letters we recently sent to the U.S. Department of Justice regarding ADA, and to report to you interest by the Justice Department in improving technical assistance to your members.

As you might expect, we are big supporters of ADA, and worked hard to craft legislation that was fair and balanced--and with safeguards for costs to local governments. In this regard, we have heard that curb cuts are a unique, significant capital expense for many communities. Thus, in one of the enclosed letters, we have asked the Justice to extend the time period for their installation--up to 10 years in some cases.

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If we can be helpful in any other way, please let us know.

Sincerely yours,


TOM HARKIN


BOB DOLE

The Honorable Randall Franke
April 28, 1995
Page 2


EDWARD M. KENNEDY


ORRIN G. HATCH


JOHN MCCAIN



TELECOPIER TRANSMITTAL

DATE: 4/4/95

TO: Hamilton Brown Fax: 289- 7996

FROM: Alexander Vachon

Office of Senator Bob Dole
141 Hart Senate Office Building
Washington, D.C. 20510

(202) 224-6521

NUMBER OF PAGES TO FOLLOW: 4

SUBJ: _____

*DOT letter
Dme*



TELECOPIER TRANSMITTAL

DATE: 4/4/95

TO: Kevin McCarty

293 - 2352

FROM: Alexander Vachon

Office of Senator Bob Dole
141 Hart Senate Office Building
Washington, D.C. 20510

(202) 224-6521

NUMBER OF PAGES TO FOLLOW: 4

SUBJ: _____

A handwritten signature, possibly "Dole", in the bottom right corner of the page.



TELECOPIER TRANSMITTAL

DATE: 4/4/95

TO: Tom Joseph

Fax: 942 - 4281

FROM: Alexander Vachon

Office of Senator Bob Dole
141 Hart Senate Office Building
Washington, D.C. 20510

(202) 224-6521

NUMBER OF PAGES TO FOLLOW: 4

SUBJ: _____

205 letters
done.



TELECOPIER TRANSMITTAL

DATE: 5/9/95

TO: Kevin McCarty Fax: 293-2352

FROM: Alexander Vachon

Office of Senator Bob Dole
141 Hart Senate Office Building
Washington, D.C. 20510

(202) 224-6521

NUMBER OF PAGES TO FOLLOW: 6

SUBJ: _____

Originals in the mail.



TELECOPIER TRANSMITTAL

DATE: 5/9/95

TO: Barrie Tablin Fax: 626-3043

FROM: Alexander Vachon

Office of Senator Bob Dole
141 Hart Senate Office Building
Washington, D.C. 20510

(202) 224-6521

NUMBER OF PAGES TO FOLLOW: 6

SUBJ: _____

originals in the mail.

United States Senate

WASHINGTON, DC 20510

April 28, 1995

The Honorable Carolyn Long Banks
National League of Cities
1301 Pennsylvania Ave, N.W.
Washington, D.C. 20004

Dear Ms. Banks:

As the principal co-sponsors of the Americans with Disabilities Act (ADA), we are writing to bring to your attention two letters we recently sent to the U.S. Department of Justice regarding ADA, and to report to you interest by the Justice Department in improving technical assistance to your members.

As you might expect, we are big supporters of ADA, and worked hard to craft legislation that was fair and balanced--and with safeguards for costs to local governments. In this regard, we have heard that curb cuts are a unique, significant capital expense for many communities. Thus, in one of the enclosed letters, we have asked the Justice to extend the time period for their installation--up to 10 years in some cases.

In the second letter, we have asked Justice to simplify the process for approving local building codes as meeting minimum ADA standards--for jurisdictions that wish to have their building codes so certified.

In discussions with Justice officials, they indicated a keen interest in improving technical assistance to your members, including definitive, timely answers about ADA requirements. In particular, we have heard that some communities are stymied by long delays in getting responses and a lack of practical advice about what the law requires. We understand that Justice will be inviting the National League of Cities staff to meet with them to discuss this matter, and we hope they will participate.

If we can be helpful in any other way, please let us know.

Sincerely yours,



TOM HARKIN



BOB DOLE

The Honorable Carolyn Long Banks
April 28, 1995
Page 2


EDWARD M. KENNEDY


ORRIN G. HATCH


JOHN MCCAIN

United States Senate

WASHINGTON, DC 20510

April 28, 1995

The Honorable Chet Larson
President
National Association of Towns and Townships
1522 K Street, N.W., Suite 1010
Washington, D.C. 20005

Dear Mr. Larson:

As the principal co-sponsors of the Americans with Disabilities Act (ADA), we are writing to bring to your attention two letters we recently sent to the U.S. Department of Justice regarding ADA, and to report to you interest by the Justice Department in improving technical assistance to your members.

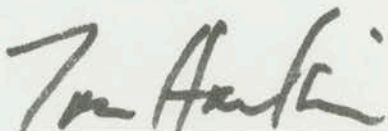
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BOB DOLE

The Honorable Chet Larson
April 28, 1995
Page 2


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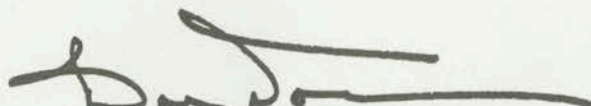
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The Honorable Chet Larson
April 28, 1995
Page 2


EDWARD M. KENNEDY


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JOHN MCCAIN

United States Senate

WASHINGTON, DC 20510

March 24, 1995

The Honorable Janet F. Reno
Attorney General
U.S. Department of Justice
Constitution Avenue & 10 Street, N.W.
Washington, D.C. 20530

Dear Madam Attorney General:

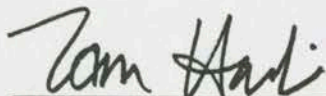
As the principal Senate co-sponsors of the Americans with Disabilities Act ("ADA"), we are writing to recommend a procedure to simplify the process by which state and local building codes are certified as complying with ADA. We believe the procedure proposed below would ease the regulatory burden on the Justice Department and on state and local governments, and better serve the needs of people with disabilities by improving accessibility without resort to enforcement through complaints.

Currently, under Title III of ADA, the Justice Department can issue a "certificate of equivalency" that a state or local building code meets the requirements of ADA. However, Justice apparently will not certify--although it will informally review--any of the three model codes upon which virtually every state and local building code is based. Those model codes are prepared by Building Officials & Code Administrators, the International Conference of Building Officials, and the Southern Building Code Congress.

We believe the task of certifying even a fraction of the 15,000 state and local building codes would be a huge undertaking for the Justice Department. Therefore, we recommend that Justice first certify or otherwise approve the model codes, and devise an expedited procedure to certify state or local codes that use an approved model code.

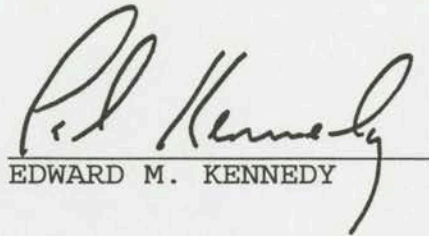
We urge you to adopt this policy change as soon as possible, consistent with all laws and ethical guidelines.

Sincerely yours,


TOM HARKIN


BOB DOLE

The Honorable Janet F. Reno
March 24, 1995
Page 2


EDWARD M. KENNEDY


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JOHN MCCAIN

United States Senate

WASHINGTON, DC 20510

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U.S. Department of Justice
Constitution Avenue & 10 Street, N.W.
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Dear Madam Attorney General:

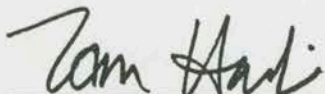
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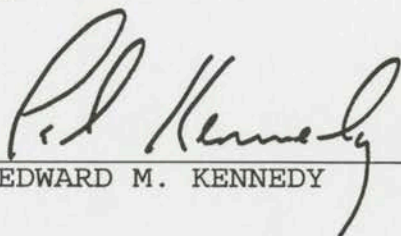
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BOB DOLE

The Honorable Janet F. Reno
March 24, 1995
Page 2


EDWARD M. KENNEDY


ORRIN G. HATCH


JOHN MCCAIN

United States Senate

WASHINGTON, DC 20510

March 24, 1995

The Honorable Janet F. Reno
Attorney General
U.S. Department of Justice
Constitution Avenue & 10 Street, N.W.
Washington, D.C. 20530

Dear Madam Attorney General:

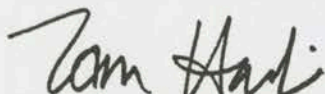
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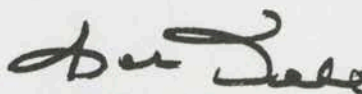
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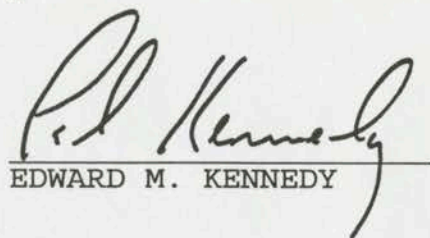
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TOM HARKIN


BOB DOLE

The Honorable Janet F. Reno
March 24, 1995
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EDWARD M. KENNEDY


ORRIN G. HATCH


JOHN MCCAIN

United States Senate

WASHINGTON, DC 20510

March 24, 1995

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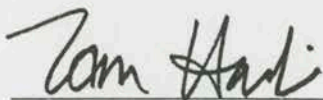
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The Honorable Janet F. Reno
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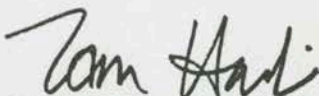
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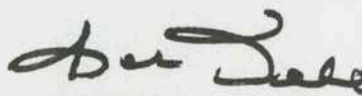
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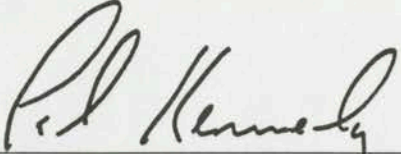


TOM HARKIN



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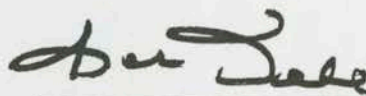
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TOM HARKIN



BOB DOLE

The Honorable Janet F. Reno
March 24, 1995
Page 2


EDWARD M. KENNEDY


ORRIN G. HATCH


JOHN MCCAIN

United States Senate

WASHINGTON, DC 20510

March 24, 1995

The Honorable Janet F. Reno
Attorney General
U.S. Department of Justice
Constitution Avenue & 10 Street, N.W.
Washington, D.C. 20530

Dear Madam Attorney General:

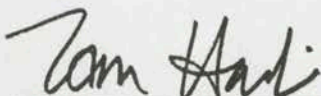
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Currently, under Title III of ADA, the Justice Department can issue a "certificate of equivalency" that a state or local building code meets the requirements of ADA. However, Justice apparently will not certify--although it will informally review--any of the three model codes upon which virtually every state and local building code is based. Those model codes are prepared by Building Officials & Code Administrators, the International Conference of Building Officials, and the Southern Building Code Congress.

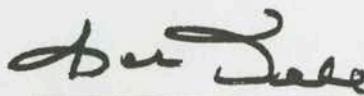
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We urge you to adopt this policy change as soon as possible, consistent with all laws and ethical guidelines.

Sincerely yours,




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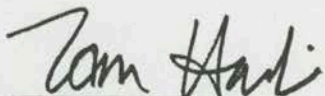
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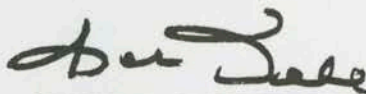
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EDWARD M. KENNEDY


ORRIN G. HATCH


JOHN MCCAIN

[TO: NATIONAL ASSOCIATION OF COUNTIES; NATIONAL ASSOCIATION OF
TOWNS & TOWNSHIPS; US. CONFERENCE OF MAYORS; NATIONAL LEAGUE OF
CITIES.]

[Date]

The Honorable -----
President

Dear M-. -----:

As the principal co-sponsors of the Americans with
Disabilities Act (ADA), we are writing to bring to your attention
two letters we recently sent to the U.S. Department of Justice
regarding ADA, and to report to you interest by the Justice
Department in improving technical assistance to your members.

As you might expect, we are big supporters of ADA, and
worked hard to craft legislation that was fair and balanced --
and with safeguards for costs to local governments. In this *significant*
regard, we ~~have~~ heard that curb cuts are a ~~large~~ unique capital
expense for many communities. Thus, in one of the enclosed
letters, we have asked the Justice to extend the time period for
their installation -- up to 10 years in some cases.

In the second letter, we have asked Justice to simplify the
process for approving local building codes as meeting minimum ADA
standards -- for jurisdictions that wish to have their building
codes so certified.


In discussions with Justice officials, they indicated a keen
interest in improving technical assistance to your members,
including definitive, timely answers about ADA requirements. In
particular, we have heard that some communities are stymied by
long delays in getting responses and a lack of practical advice
about what the law requires. We understand that Justice will be
inviting NCOA staff to meet with them to discuss this matter, and
we hope they will participate.

If we can be helpful in any other way, please let us know.

Sincerely yours,

MEMORANDUM TO SENATOR DOLE

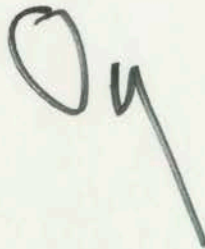
DA: April 16, 1995

FR: Alec Vachon 

RE: LETTERS TO LOCAL GOVERNMENT ASSOCIATIONS RE ADA

- * Attached for your approval is a letter to the President of the National Association of Counties--which informs him of your request to the Justice Department w/other Senate ADA co-sponsors that the deadline for making curb cuts be extended and that certification of building codes be simplified (COPIES OF JUSTICE LETTERS ATTACHED). Identical letters will be sent to the National Association of Towns and Townships; National League of Cities; and U.S. Conference of Mayors.

- * BACKGROUND: As you know, I have been in close contact with these local governments associations to ensure that their members are getting the help they need on ADA. The goals are two-fold: (1) to keep ADA implementation moving forward in constructive way; and (2) keep the "noise" down. I expect these associations will be sending you "thank you" letters for your help.



[Date]

The Honorable Randall Franke
President
National Association of Counties
440 First Street, N.W., 8th Floor
Washington, D.C. 20001

Dear Mr. Franke:

As the principal co-sponsors of the Americans with Disabilities Act (ADA), we are writing to bring to your attention two letters we recently sent to the U.S. Department of Justice regarding ADA, and to report to you interest by the Justice Department in improving technical assistance to your members.

As you might expect, we are big supporters of ADA, and worked hard to craft legislation that was fair and balanced -- and with safeguards for costs to local governments. In this regard, we have heard that curb cuts are a large, unique capital expense for many communities. Thus, in one of the enclosed letters, we have asked the Justice to extend the time period for their installation -- up to 10 years in some cases.

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United States Senate

WASHINGTON, DC 20510

March 24, 1995

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Attorney General
U.S. Department of Justice
Washington, D.C. 20530

Dear Madam Attorney General:

As the principal Senate co-sponsors of the Americans with Disabilities Act ("ADA"), we are writing to request the U.S. Department of Justice extend the time period for installation of curb ramps by public entities under 28 C.F.R. 35.150. We are, of course, strong supporters of ADA and its fundamental principle that access is opportunity for people with disabilities. At the same time, it was our intent to carefully craft ADA to include fair and balanced provisions and specific safeguards for state and local governments regarding costs.

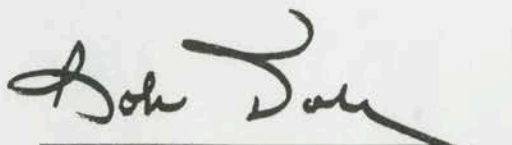
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Currently, we understand that public entities were required to have completed all necessary curb cuts by January 26, 1995 ("effective date"). We believe there should be separate time periods for at least two classes or tiers of curb cuts, provided public entities have a written transition plan with specific dates for completing all curbs cuts within the extended time period. Tier I curb cuts are ones that serve state and local government offices, transportation, places of public accommodation, other places of employment, other heavily traveled routes, and private homes of persons with disabilities, and should be completed within 5 years of the effective date. Tier II cuts serve residential and other non-commercial areas where pedestrian walkways exist, and a public entity should be given 10 years from the effective date to install necessary curb ramps.

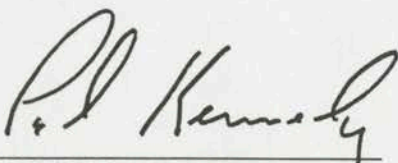
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Sincerely yours,

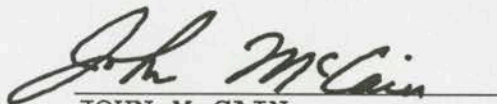

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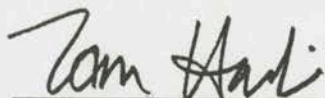
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We believe the task of certifying even a fraction of the 15,000 state and local building codes would be a huge undertaking for the Justice Department. Therefore, we recommend that Justice first certify or otherwise approve the model codes, and devise an expedited procedure to certify state or local codes that use an approved model code.

We urge you to adopt this policy change as soon as possible, consistent with all laws and ethical guidelines.

Sincerely yours,

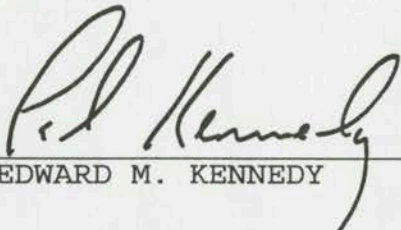


TOM HARKIN



BOB DOLE

The Honorable Janet F. Reno
March 24, 1995
Page 2


EDWARD M. KENNEDY


ORRIN G. HATCH


JOHN MCCAIN

(2/13/95B)

[Date]

The Honorable Janet F. Reno
Attorney General
U.S. Department of Justice
Constitution Avenue & 10 Street, N.W.
Washington, D.C. 20530

Dear Madam Attorney General:

As the principal Senate co-sponsors of the Americans with Disabilities Act (P.L. 101-336) ("ADA"), we are writing to ask you to implement a change in the procedure for deeming that state and local building codes comply with the regulations under ADA. We believe the procedure proposed below would ease the regulatory burden on both the Justice Department and on state and local governments, and improve accessibility without resort to enforcement through complaints.

Currently, under the regulations governing Title III of ADA (see 28 C.F.R. 36.607 et seq.), the Justice Department will issue a "certificate of equivalency" upon request that a state or local building code meets or exceeds the requirements of ADA. Under statute, such certification constitutes rebuttable evidence that a code meets the requirements of ADA. However, Justice will not certify -- although it will informally review -- any of the three models codes upon which virtually all 15,000 state and local building codes are based. Those models codes are prepared by Building Officials & Code Administrators (BOCA), International Conference of Building Officials (ICBO), and Southern Building Code Congress International (SBCCI).

We urge the Justice Department to first certify or otherwise approve model codes, which we believe it has current authority to do, and then allow all state and local codes that adopt such codes as equivalent. State and local government would only have to submit for certification any variances from the model codes.

We urge you to adopt this modification as soon as possible. If you have any questions or if we can be otherwise helpful, please contact Alexander Vachon of Senator Dole's staff at 224-8959, or Bobby Silverstein of Senator Harkin's staff at 224-6265.

Sincerely yours,

(2/13/95B)

[Date]

The Honorable Janet F. Reno
Attorney General
U.S. Department of Justice
Constitution Avenue & 10th Street, N.W.
Washington, D.C. 20530

Dear Madam Attorney General:

As the principal Senate co-sponsors of the Americans with Disabilities Act (P.L. 101-336) ("ADA"), we are writing to request the U.S. Department of Justice extend the time period for installation of curb ramps by public entities under 28 C.F.R. 35.150. As you may know, it was our intent to carefully craft ADA to include fair and balanced provisions and specific safeguards for state and local governments regarding costs. We are concerned that curb cuts are a unique, significant capital expense, and that our intent would be more properly fulfilled over a longer time period.

Currently, we understand that public entities were required to have completed all necessary curb cuts by January 26, 1996 ("effective date"). We believe that the Department should have separate time periods for at least two classes or tiers of curb cuts, provided public entities have a written transition plan with specific milestones for completing all curbs cuts within the extended time period. Tier I cuts are ones that serve state and local government offices, transportation, places of public accommodation, other places of employment, other heavily traveled routes, and private homes of persons with disabilities, and should be completed no later than ____ years after the effective date. Tier II serve residential and other non-commercial areas where pedestrian walkways exist, and a public entity should be given ____ years from the effective date to install the necessary curb ramps.

We urge you to adopt this modification as soon as possible. If you have any questions or if we can be otherwise helpful, please contact Bobby Silverstein of Senator Harkin's staff at 224-6265, or Alexander Vachon of Senator Dole's staff at 224-8959.

Sincerely yours,



TELECOPIER TRANSMITTAL

DATE: 3/28/95

TO: Tim Ryan Fax: 913/381-5756

FROM: Alexander Vachon

Office of Senator Bob Dole
141 Hart Senate Office Building
Washington, D.C. 20510

(202) 224-6521

NUMBER OF PAGES TO FOLLOW: 2

SUBJ: _____



TELECOPIER TRANSMITTAL

DATE: 3/28/95

TO: Liz Savage

Fax: 514-6293

FROM: Alexander Vachon

Office of Senator Bob Dole
141 Hart Senate Office Building
Washington, D.C. 20510

(202) 224-6521

NUMBER OF PAGES TO FOLLOW: 4

SUBJ: _____

At last! Originals in the mail.

United States Senate

WASHINGTON, DC 20510

March 24, 1995

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U.S. Department of Justice
Washington, D.C. 20530

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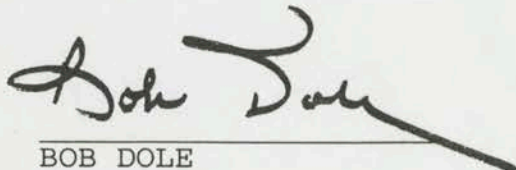
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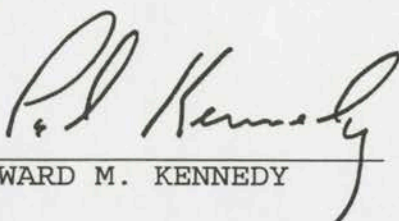
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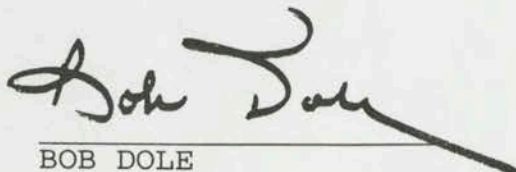
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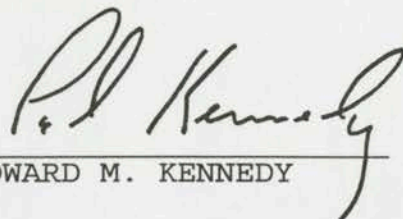
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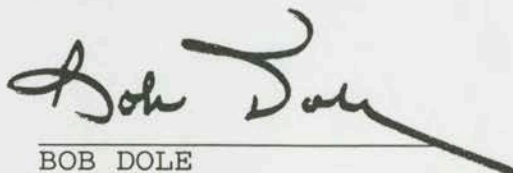
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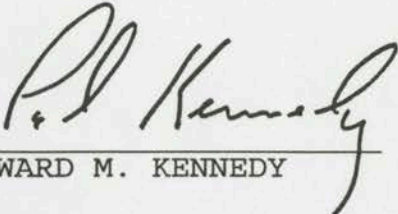
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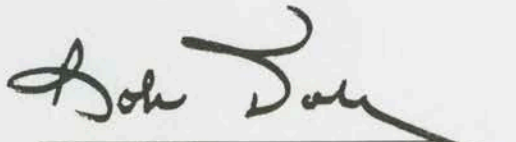
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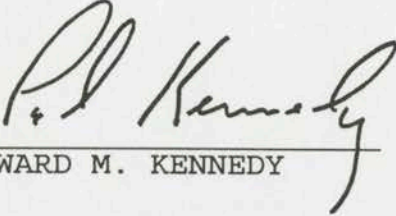
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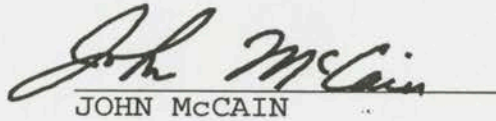

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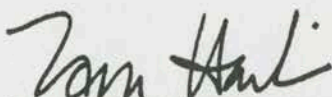
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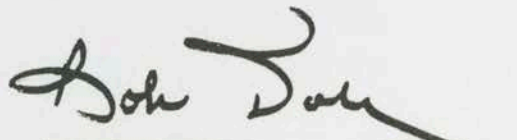
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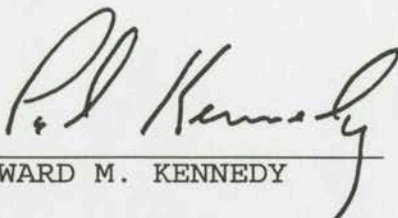
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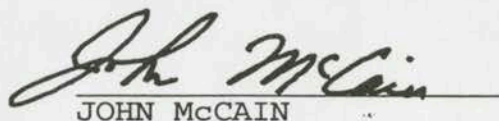

TOM HARKIN


BOB DOLE

The Honorable Janet F. Reno
March 24, 1995
Page 2


EDWARD M. KENNEDY


ORRIN G. HATCH


JOHN MCCAIN

United States Senate

WASHINGTON, DC 20510

March 24, 1995

The Honorable Janet F. Reno
Attorney General
U.S. Department of Justice
Washington, D.C. 20530

Dear Madam Attorney General:

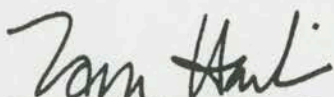
As the principal Senate co-sponsors of the Americans with Disabilities Act ("ADA"), we are writing to request the U.S. Department of Justice extend the time period for installation of curb ramps by public entities under 28 C.F.R. 35.150. We are, of course, strong supporters of ADA and its fundamental principle that access is opportunity for people with disabilities. At the same time, it was our intent to carefully craft ADA to include fair and balanced provisions and specific safeguards for state and local governments regarding costs.

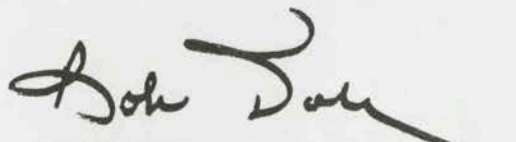
In this regard, we have heard that curb cuts are a unique, significant capital expense, and believe that our intent would be more properly fulfilled over a longer time period.

Currently, we understand that public entities were required to have completed all necessary curb cuts by January 26, 1995 ("effective date"). We believe there should be separate time periods for at least two classes or tiers of curb cuts, provided public entities have a written transition plan with specific dates for completing all curbs cuts within the extended time period. Tier I curb cuts are ones that serve state and local government offices, transportation, places of public accommodation, other places of employment, other heavily traveled routes, and private homes of persons with disabilities, and should be completed within 5 years of the effective date. Tier II cuts serve residential and other non-commercial areas where pedestrian walkways exist, and a public entity should be given 10 years from the effective date to install necessary curb ramps.

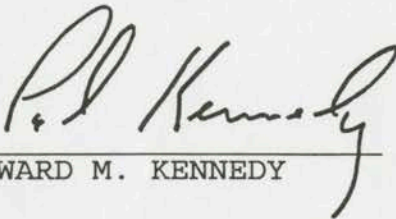
We urge you to consider adopting this policy change as soon as possible, consistent with all laws and ethical guidelines.

Sincerely yours,


TOM HARKIN


BOB DOLE

The Honorable Janet F. Reno
March 24, 1995
Page 2


EDWARD M. KENNEDY


ORRIN G. HATCH


JOHN MCCAIN



TELECOPIER TRANSMITTAL

DATE: 4/13/95

TO: Maween McCloskey / P/A Ex: 416-7706

FROM: Alexander Vachon

Office of Senator Bob Dole
141 Hart Senate Office Building
Washington, D.C. 20510

(202) 224-6521

NUMBER OF PAGES TO FOLLOW: 4

SUBJ: _____

United States Senate

WASHINGTON, DC 20510

March 24, 1995

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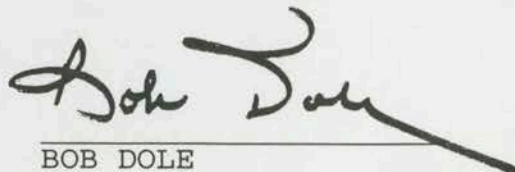
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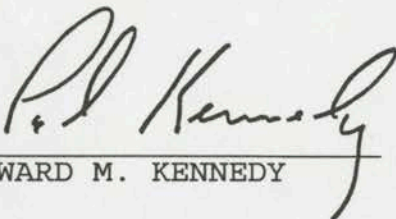
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JOHN MCCAIN

United States Senate

WASHINGTON, DC 20510

April 28, 1995

The Honorable Carolyn Long Banks
National League of Cities
1301 Pennsylvania Ave, N.W.
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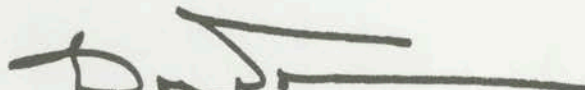
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April 28, 1995

The Honorable Randall Franke
President
National Association of Counties
440 First Street, N.W., 8th Floor
Washington, D.C. 20001

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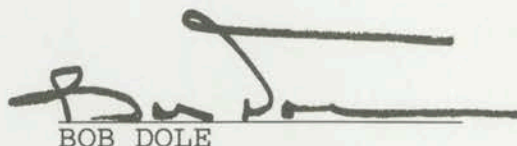
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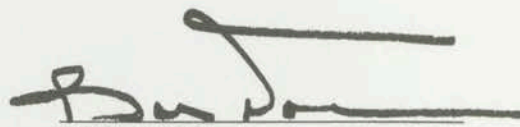
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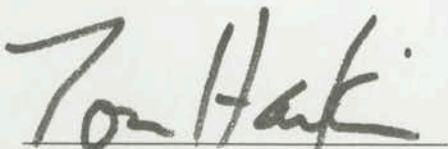
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United States Senate

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April 28, 1995

The Honorable Victor Ashe
President
U.S. Conference of Mayors
1620 Eye Street, N.W., Suite 4
Washington, D.C. 20006

Dear Mr. Ashe:

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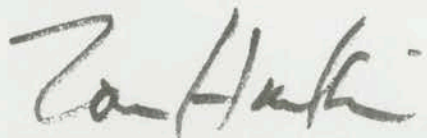
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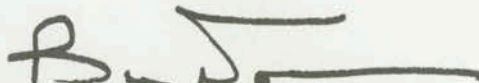
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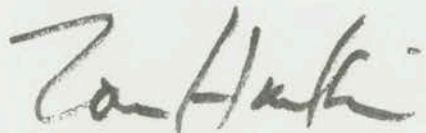
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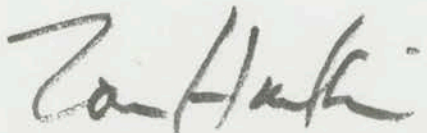
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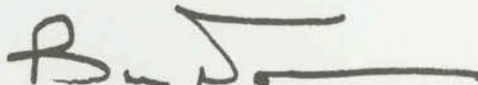
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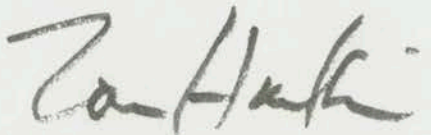
As you might expect, we are big supporters of ADA, and worked hard to craft legislation that was fair and balanced--and with safeguards for costs to local governments. In this regard, we have heard that curb cuts are a unique, significant capital expense for many communities. Thus, in one of the enclosed letters, we have asked the Justice to extend the time period for their installation--up to 10 years in some cases.

In the second letter, we have asked Justice to simplify the process for approving local building codes as meeting minimum ADA standards--for jurisdictions that wish to have their building codes so certified.

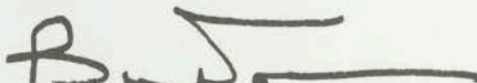
In discussions with Justice officials, they indicated a keen interest in improving technical assistance to your members, including definitive, timely answers about ADA requirements. In particular, we have heard that some communities are stymied by long delays in getting responses and a lack of practical advice about what the law requires. We understand that Justice will be inviting staff of the U.S. Conference of Mayors to meet with them to discuss this matter, and we hope they will participate.

If we can be helpful in any other way, please let us know.

Sincerely yours,



TOM HARKIN



BOB DOLE

The Honorable Victor Ashe
April 28, 1995
Page 2


EDWARD M. KENNEDY


ORRIN G. HATCH


JOHN MCCAIN

United States Senate

WASHINGTON, DC 20510

April 28, 1995

The Honorable Victor Ashe
President
U.S. Conference of Mayors
1620 Eye Street, N.W., Suite 4
Washington, D.C. 20006

Dear Mr. Ashe:

As the principal co-sponsors of the Americans with Disabilities Act (ADA), we are writing to bring to your attention two letters we recently sent to the U.S. Department of Justice regarding ADA, and to report to you interest by the Justice Department in improving technical assistance to your members.

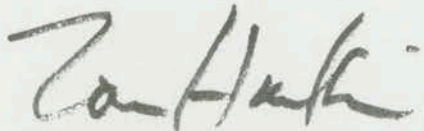
As you might expect, we are big supporters of ADA, and worked hard to craft legislation that was fair and balanced--and with safeguards for costs to local governments. In this regard, we have heard that curb cuts are a unique, significant capital expense for many communities. Thus, in one of the enclosed letters, we have asked the Justice to extend the time period for their installation--up to 10 years in some cases.

In the second letter, we have asked Justice to simplify the process for approving local building codes as meeting minimum ADA standards--for jurisdictions that wish to have their building codes so certified.

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Sincerely yours,



TOM HARKIN



BOB DOLE

The Honorable Victor Ashe
April 28, 1995
Page 2


EDWARD M. KENNEDY


ORRIN G. HATCH


JOHN MCCAIN

United States Senate

WASHINGTON, DC 20510

March 24, 1995

The Honorable Janet F. Reno
Attorney General
U.S. Department of Justice
Washington, D.C. 20530

Dear Madam Attorney General:

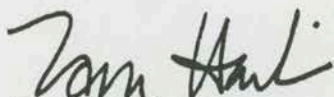
As the principal Senate co-sponsors of the Americans with Disabilities Act ("ADA"), we are writing to request the U.S. Department of Justice extend the time period for installation of curb ramps by public entities under 28 C.F.R. 35.150. We are, of course, strong supporters of ADA and its fundamental principle that access is opportunity for people with disabilities. At the same time, it was our intent to carefully craft ADA to include fair and balanced provisions and specific safeguards for state and local governments regarding costs.

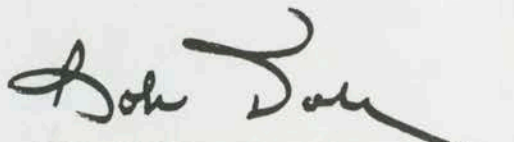
In this regard, we have heard that curb cuts are a unique, significant capital expense, and believe that our intent would be more properly fulfilled over a longer time period.

Currently, we understand that public entities were required to have completed all necessary curb cuts by January 26, 1995 ("effective date"). We believe there should be separate time periods for at least two classes or tiers of curb cuts, provided public entities have a written transition plan with specific dates for completing all curbs cuts within the extended time period. Tier I curb cuts are ones that serve state and local government offices, transportation, places of public accommodation, other places of employment, other heavily traveled routes, and private homes of persons with disabilities, and should be completed within 5 years of the effective date. Tier II cuts serve residential and other non-commercial areas where pedestrian walkways exist, and a public entity should be given 10 years from the effective date to install necessary curb ramps.

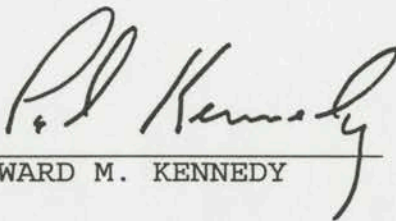
We urge you to consider adopting this policy change as soon as possible, consistent with all laws and ethical guidelines.

Sincerely yours,


TOM HARKIN


BOB DOLE

The Honorable Janet F. Reno
March 24, 1995
Page 2


EDWARD M. KENNEDY


ORRIN G. HATCH


JOHN MCCAIN

United States Senate

WASHINGTON, DC 20510

March 24, 1995

The Honorable Janet F. Reno
Attorney General
U.S. Department of Justice
Constitution Avenue & 10 Street, N.W.
Washington, D.C. 20530

Dear Madam Attorney General:

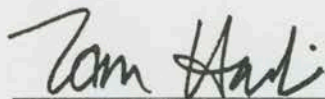
As the principal Senate co-sponsors of the Americans with Disabilities Act ("ADA"), we are writing to recommend a procedure to simplify the process by which state and local building codes are certified as complying with ADA. We believe the procedure proposed below would ease the regulatory burden on the Justice Department and on state and local governments, and better serve the needs of people with disabilities by improving accessibility without resort to enforcement through complaints.

Currently, under Title III of ADA, the Justice Department can issue a "certificate of equivalency" that a state or local building code meets the requirements of ADA. However, Justice apparently will not certify--although it will informally review--any of the three model codes upon which virtually every state and local building code is based. Those model codes are prepared by Building Officials & Code Administrators, the International Conference of Building Officials, and the Southern Building Code Congress.

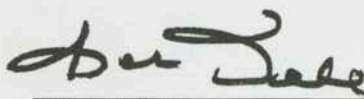
We believe the task of certifying even a fraction of the 15,000 state and local building codes would be a huge undertaking for the Justice Department. Therefore, we recommend that Justice first certify or otherwise approve the model codes, and devise an expedited procedure to certify state or local codes that use an approved model code.

We urge you to adopt this policy change as soon as possible, consistent with all laws and ethical guidelines.

Sincerely yours,

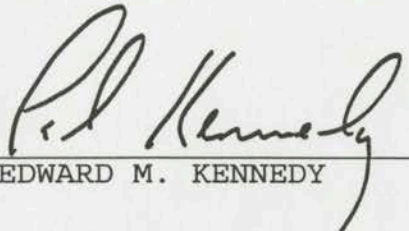


TOM HARKIN



BOB DOLE

The Honorable Janet F. Reno
March 24, 1995
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EDWARD M. KENNEDY


ORRIN G. HATCH


JOHN MCCAIN

2/12/95

- | | |
|-----------------------------|--------------------------------------|
| ① money for Tech assistance | NCOA [Tom Joseph
Mary Vyeck |
| ② Cook Cooks | NATO [Tom Hallack
Hamilton Brown |
| ③ Union = Justice Dept. | NRSC [Rane Tulin |
| ④ Bridg Codes | |

Tech Ass

DOT procedures

1. money
2. DOT review criteria for issuing tech ant products
Hamilton Brown - further ships cases of detail.
Tom Joseph - need to talk with him in our lounge.

Timely inspection?

Challenge: ~~data~~ look at Regulatory Flexibility Act.

Mar Vyeck: "ADA Anxiety" → incentive to litigate.
Recent 1 lawsuit

Silverstein : 71

Brown - funds for corr., include burden,
clear guidelines
↓ response time.

Uyeda - need for more for money to assoc.

Talbot - ACCESS Board great agency.
very helpful; responsive.
Dave Capozzi

Uyeda - ~~too~~ ACCESS had a model.

Talbot - Preference Seminar in March.

Tech Ass't
Reg clarification

Uyeda - NIDRR Centers -

→ Strong Outreach

~~\$500,000~~

→