

TASK FORCE ON THE RIGHTS AND EMPOWERMENT OF AMERICANS WITH DISABILITIES

907 6th Street, S.W., Suite 516C, Washington, D.C. 20024
(202) 488-7684 Voice (202) 484-1370 TDD

Appointed by Congressman Major R. Owens, Chairman, House Subcommittee on Select Education

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Executive Summary of Findings and Recommendations as of September 27, 1988

More than 5,500 persons with disabilities, families, advocates and service providers attending 49 Task Force Forums in 44 states have presented overwhelming evidence that:

- In spite of great progress in the area of disability during the past few decades, millions of Americans with disabilities are still subjected to massive discrimination in all significant aspects of life, including education, employment, communication, transportation, public access, insurance, recreation and access to vital health, legal and other services.
- Our very promising pioneer services for people with disabilities are severely restricted by lack of funds, fragmentation, bureaucratic and regulatory limitations, obsolete public attitudes and inadequate community access and support systems.
- Existing rights laws are poorly implemented and enforced.
- Millions of Americans with disabilities suffer unconscionable infringement of their human rights, segregation, unemployment, poverty, and physical and psychological deprivation.

The Task Force believes that:

- The more than 36 million Americans with disabilities will never achieve their full potential for equal participation in the productive mainstream of society until they are fully protected by comprehensive civil rights legislation and empowered to participate fully in the government and other decisions which control their lives.
- America cannot afford either the moral or economic cost of maintaining ever increasing millions of its potentially productive citizens in unjust, unwanted dependency. Investments in the rights and productive independence of all people with disabilities have proven to be immediately profitable to every citizen and to the nation as a whole.

The Task Force recommends that Congress:

- Enact an effective, enforceable form of the Americans With Disabilities Act.
- Continue to move toward a full spectrum of effective services, protections and support systems designed to empower all Americans with disabilities to fulfill their personal potential to be productive citizens of the first class.

EQUAL ACCESS TO THE AMERICAN DREAM

MISSION. The Task Force on the Rights and Empowerment of Americans With Disabilities was established on May 2, 1988, by Congressman Major R. Owens, Chairman of the House Subcommittee on Select Education. Composed of 31 distinguished representatives of major segments of the disability community, the Task Force is mandated to collect information and to make recommendations which will assist Congress as it considers the historic Americans With Disabilities Act, and other legislation designed to implement the rights of America's more than 36 million citizens with disabilities.

The Task Force believes that Americans with disabilities will never be able to achieve their full potential for equal participation in the productive mainstream of society until certain basic truths are understood and acted upon by the nation:

1. Disability is a universally common characteristic of human life; people with disabilities have the same inalienable rights and the same inalienable responsibilities as other people.
2. Equality cannot be handed down by paternalistic systems; people with disabilities must be empowered to participate fully in the government and other decisions which control their lives.
3. America cannot afford either the economic or the moral cost of maintaining ever increasing millions of its potentially productive citizens in unjust, unwanted degrading dependency; experience has demonstrated conclusively that investments in the equality and productive independence of people with disabilities will be immediately profitable to all citizens and to the nation in terms of both money and quality of life.

ACTIVITIES TO DATE. The Task Force has held four meetings. With the cooperation of Congressional staff, Task Force members, staff and volunteers and virtually the entire disability community, the Chairperson has presided over 49 public forums in 44 states, the District of Columbia and Guam, attended by more than 5,500 persons with disabilities, their families, advocates and service providers. He has also made Task Force issue presentations to numerous other meetings attended by more than 10,000 members of the disability community. The Task Force has collected and is in the process of analyzing thousands of documents submitted by citizens and organizations outlining discrimination and other barriers which limit the activities of people with disabilities, and proposals to eliminate those barriers.

FINDINGS TO DATE. While there is general recognition that there has been great progress in the area of disability during the past few decades, there is also overwhelming evidence that people with disabilities still suffer massive discrimination, segregation and deprivation which results in unconscionable injustice to millions of individuals, and unconscionable moral and economic costs to the nation.

1. Devastating discrimination and other barriers still exist in all significant areas of life, including education, employment, communication, transportation, public access, recreation, insurance and access to vital services.
2. Pioneer independence and productivity oriented service providers have struggled valiantly to achieve excellent initial results in certain areas, but are unable to meet all the needs of our rapidly increasing disability population due to obsolete public attitudes, regulatory and bureaucratic limitations and lack of adequate funding, authority, structure and community access and support systems.
3. The rights of citizens with disabilities are inadequately protected in

numerous areas, and too many protections which are provided by law remain largely unenforced. There is a clear mandate for vigorous action to implement and enforce existing and future laws and regulations. 4. Testimony in the forums seemed to reflect virtually unanimous support by the active disability community for the Americans With Disabilities Act and for a continuum of effective services and support systems designed to empower all people with disabilities as fully equal and productive participants in the mainstream of society.

PRELIMINARY RECOMMENDATIONS. The Task Force recommends that Congress:

1. Move decisively to enact an effective form of the Americans With Disabilities Act.
2. Provide aggressive national leadership in the affirmative employment and other meaningful involvement of people with disabilities in roles of significant responsibility.
3. Continue to move toward a full spectrum of effective services and support systems for all people with disabilities.
4. Give particular attention to ensuring the effective implementation and enforcement of rights and services legislation, to providing affordable, quality educational opportunities for all children, youth and adults with disabilities and to enabling all people with disabilities to secure adequate, affordable medical and other insurance coverage.

THE TASK FORCE WISHES TO ACKNOWLEDGE the magnificent support it has received from numerous members and staff of Congress, particularly Task Force founder Congressman Major Owens and the members and staff of the House Subcommittee on Select Education, Senators Tom Harkin and Lowell Weicker and the members and staff of the Senate Subcommittee on the Handicapped, and all the sponsors of the Civil Rights Restoration Act, The Fair Housing Act Amendments of 1988, the Technology-related Assistance for Individuals with Disabilities Act and the Americans With Disabilities Act, including Congressman Tony Coelho, Silvio Conte, and James Jeffords, and Senators Edward Kennedy, Robert Dole and Paul Simon. The Task Force has no public funding or private grants. Special recognition is due Task Force members, staff and volunteers, and the literally thousands of patriotic citizens and organizations in every state and territory who have contributed services, money and time to make the democratic system work.

Justin Dart
Chairperson

Dr. Elizabeth Boggs
Co-chairperson

Lex Frieden
Coordinator

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Meeting of the Task Force, September 27, 1988, 3-5pm,
in Ole Jim, Gallaudet University, 800 Florida Avenue,
N.E., Washington, D.C. and by teleconference.

AGENDA

Welcome by Chairperson. Introduction of new member.

Introduction of those present on-site and by
teleconference.

Welcome by Dr. I. King Jordan.

Old business.

Review and approval of minutes of August 9th meeting.

Summary report by Chairperson and Cochairperson,
including report of forums held to date, and material
received from citizens.

Remarks by Congressional staff.

Report of Working Group by the Coordinator.

Report of Boston Forum Working Group by the Ad Hoc
Committee Chairpersons.

Other old business.

Site and time of next meeting.

EQUAL ACCESS TO THE AMERICAN DREAM

Introduced by: Senators Lowell Weicker (R-CT) and Tom Harkin (D-IA)
Representatives Tony Coelho (D-CA), Silvio Conte
(R-MA), Major Owens (D-NY), James Jeffords (R-VT)

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cprep.031

October 31, 1988

To: Congressman Major Owens, Dr. Elizabeth Boggs, Lex Frieden, members and advisers of the Task Force, Maria Cuprill and Bob Tate.

From: Justin Dart

Subject: announcements, report, enclosures

The next meeting of the Task Force will be held on November 30, 1988, 2-5pm at the Grand Hyatt Washington, 1000 H. Street., N.W., Washington, D.C., 20001, tel. 202-582-1234, and by teleconference. Agenda enclosed. Thanks to Sandra Parrino, Ethel Briggs and the National Council on the Handicapped for sponsoring our meeting room. The National Council will hold their regular quarterly meeting at the same Hotel November 28-30, adjourning at noon on the 30th. All Task Force members and advisers are invited to attend and observe, and Council members are invited to attend the Task Force meeting.

On October 24 Congressman Major Owens presided over an all day hearing on ADA and associated issues at the LaFayette Hotel in Boston. Representatives Chester Atkins and Joe Moakley also participated. Almost 90 witnesses were heard - persons with disabilities, family members, service providers and advocates - representing every major segment of the disability constituency. The hearing was also attended and supported by Task Force Cochairperson, Dr. Elizabeth Boggs, members, Paul Marchand, Elmer Bartels, Dale Brown, Marilyn Spivack, Marca Bristo and Joe Rogers, and prominent Boston leaders like Ted Kennedy, Jr., Massachusetts Secretary of Human Services, Phillip Johnston, and Region I RSA Commissioner John Szufnarowski. Governor Dukakis sent a supportive message, containing a summary of his position on disability issues. The hearing and the associated rally was attended by an overflow crowd of about five hundred persons from Massachusetts and five or six adjoining states. There was excellent testimony in regard to discrimination against persons with disabilities and methods of overcoming that discrimination, as well as unanimous support for ADA. All cooperated to produce an essentially positive atmosphere characterized by unity of the disability community in support of equal rights and empowerment, and to prevent the introduction of personal or political issues inappropriate for a non-partisan Congressional hearing. Thanks and congratulations to Congressman Owens, Maria Cuprill, Bob

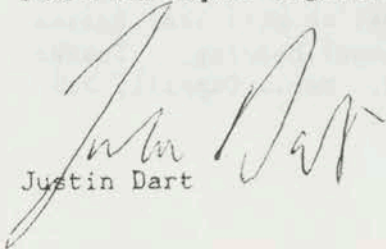
Tate, Eric Griffin, Elmer Bartels, John Chappel, Bob Williams, Larry Robinson, Amy Brill, Marnie Sweet, Marcia Nelson, Gwyneth Rochlin and many others who worked hard and gave of their personal resources to make this people's hearing an outstanding success.

On October 26 a public forum was held in Montpelier Vermont, cosponsored by Congressman James Jeffords and the Task Force. Congressman Jeffords and I presided. The forum was attended by about 65 persons, and there were several panels of really excellent witnesses. Congressman Jeffords and all who testified expressed total support for ADA, empowerment, consistent, vigorous enforcement and quality services for all people with disabilities. Thanks to the Congressman, Pat Morrissey, Rick Douglas, the Vermont Center for Independent Living and all who attended and who gave of their time and resources to make the forum a great success.

Enclosed is the Executive Summary of Task Force reports, findings and recommendations as of October 31. I solicit your guidance to me, the working group and the writing group in regard to the editing and expansion of this document into an interim report to Congress and to the community, which would mark the completion of our initial fact finding phase. As of today, I have completed the scheduled public forums in all fifty states, Guam and the District of Columbia, attended by over 7,000 members of the disability community (we are attempting to schedule Puerto Rico and Virgin Island forums in the near future). I have also made Task Force issue presentations at numerous other meetings attended by more than 13,000 persons. The task Force has received several thousand documents and a large number of video and audio tapes which are being analyzed by Phil Calkins' Research Working Group. Thanks to all the hundreds of individuals and organizations who have - in the absence of any public funding or private grants for the Task Force - given their valuable time and resources to make this unprecedented experiment in democracy a success.

I also enclose an invitation to a November 10 lunch reception honoring Marnie Sweet, who is completing her contract with me on November 15. As you know, Marnie has made a major contribution to the successful organization of the Task Force, and to over 100 public forums and other Task Force related meetings. All those living in the D.C. area are urged to attend; those who live in other areas, or who cannot attend, may wish to send messages.

Yours for equal rights.


Justin Dart

TASK FORCE ON THE RIGHTS AND EMPOWERMENT OF AMERICANS WITH DISABILITIES

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Appointed by Congressman Major R. Owens, Chairman, House Subcommittee on Select Education

Meeting of the Task Force, November 30, 1988, 2-5pm at the Grand Hyatt Washington, 1000 H St., N.W., Washington, D.C. 20001, tel. 202-582-1234

AGENDA

Welcome by Chairperson. Introduction of new member, Sandra Parrino, Chairperson of the National Council on the Handicapped

Introduction of those on-site and by teleconference

Old business

Review and approval of minutes of September 27 meeting

Summary report by Chairperson and Cochairperson

Remarks by Congressional staff

Remarks by Sandra Parrino, representing the National Council on the Handicapped

Report on the Boston Forum: Eric Griffin and Elmer Bartels

Report on the Vermont Forum: Pat Morrissey

Report of the Working Group: Lex Frieden

Report of the Research Group: Phil Calkins

Report of the Writing group: Tony Young

Other old business

New business

Site and time of the next meeting

EQUAL ACCESS TO THE AMERICAN DREAM

TASK FORCE ON THE RIGHTS AND EMPOWERMENT OF AMERICANS WITH DISABILITIES

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EXECUTIVE SUMMARY OF REPORTS, FINDINGS AND RECOMMENDATIONS AS OF OCTOBER 31, 1988

MORE THAN 7,500 PERSONS WITH DISABILITIES, FAMILIES, ADVOCATES
AND SERVICE PROVIDERS ATTENDING 62 TASK FORCE FORUMS AND TWO
CONGRESSIONAL HEARINGS IN 50 STATES HAVE PRESENTED OVERWHELMING
EVIDENCE THAT:

- IN SPITE OF GREAT PROGRESS IN THE AREA OF DISABILITY DURING
THE PAST FEW DECADES, MILLIONS OF AMERICANS WITH DISABILITIES ARE
STILL SUBJECTED TO MASSIVE DISCRIMINATION IN ALL SIGNIFICANT
ASPECTS OF LIFE, INCLUDING EDUCATION, EMPLOYMENT, COMMUNICATION,
TRANSPORTATION, PUBLIC ACCESS, INSURANCE, RECREATION AND ACCESS
TO VITAL HEALTH, LEGAL AND OTHER SERVICES.

- OUR VERY PROMISING PIONEER SERVICES FOR PEOPLE WITH
DISABILITIES ARE SEVERELY RESTRICTED BY LACK OF FUNDS,
FRAGMENTATION, BUREAUCRATIC AND REGULATORY LIMITATIONS, OBSOLETE
PUBLIC ATTITUDES AND INADEQUATE COMMUNITY ACCESS AND SUPPORT
SYSTEMS.

- EXISTING RIGHTS LAWS ARE POORLY IMPLEMENTED AND ENFORCED.

- MILLIONS OF AMERICANS WITH DISABILITIES SUFFER UNCONSCIONABLE
INFRINGEMENT OF THEIR HUMAN RIGHTS, SEGREGATION, UNEMPLOYMENT,
POVERTY, AND PHYSICAL AND PSYCHOLOGICAL DEPRIVATION.

THE TASK FORCE BELIEVES THAT:

- THE MORE THAN 36 MILLION AMERICANS WITH DISABILITIES WILL
NEVER ACHIEVE THEIR FULL POTENTIAL FOR EQUAL PARTICIPATION IN THE
PRODUCTIVE MAINSTREAM OF SOCIETY UNTIL THEY ARE FULLY PROTECTED
BY COMPREHENSIVE CIVIL RIGHTS LEGISLATION AND EMPOWERED TO
PARTICIPATE FULLY IN THE GOVERNMENT AND OTHER DECISIONS WHICH
CONTROL THEIR LIVES.

- AMERICA CANNOT AFFORD EITHER THE MORAL OR ECONOMIC COST OF
MAINTAINING EVER INCREASING MILLIONS OF ITS POTENTIALLY
PRODUCTIVE CITIZENS IN UNJUST, UNWANTED DEPENDENCY. INVESTMENTS
IN THE RIGHTS AND PRODUCTIVE INDEPENDENCE OF ALL PEOPLE WITH
DISABILITIES HAVE PROVEN TO BE IMMEDIATELY PROFITABLE TO EVERY
CITIZEN AND TO THE NATION AS A WHOLE.

EQUAL ACCESS TO THE AMERICAN DREAM

THE TASK FORCE RECOMMENDS THAT CONGRESS:

- ENACT AN EFFECTIVE, ENFORCEABLE FORM OF THE AMERICANS WITH DISABILITIES ACT.
- CONTINUE TO MOVE TOWARD A FULL SPECTRUM OF EFFECTIVE SERVICES, PROTECTIONS AND SUPPORT SYSTEMS DESIGNED TO EMPOWER ALL AMERICANS WITH DISABILITIES TO FULFILL THEIR PERSONAL POTENTIAL TO BE PRODUCTIVE CITIZENS OF THE FIRST CLASS.

MISSION - The Task Force on the Rights and Empowerment of Americans With Disabilities was established on May 2, 1988 by Congressman Major R. Owens, Chairman of the House Subcommittee on Select Education. Composed of 31 distinguished representatives of major segments of the disability community, the Task Force is mandated to collect information and to make recommendations which will assist Congress as it considers the historic Americans with Disabilities Act, and other legislation designed to implement the rights of America's more than 36 million citizens with disabilities.

The Task Force believes that Americans with disabilities will never be able to achieve their full potential for equal participation in the productive mainstream of society until certain basic truths are understood and acted upon by the nation:

1. Disability is a universally common characteristic of human life; people with disabilities have the same inalienable rights and the same inalienable responsibilities as other people. 2. Equality cannot be handed down by paternalistic systems; people with disabilities must be empowered to participate fully in the government and other decisions which control their lives. 3. America cannot afford either the economic or the moral cost of maintaining ever increasing millions of its potentially productive citizens in unjust, unwanted degrading dependency; experience has demonstrated conclusively that investments in the equality and productive independence of people with disabilities will be immediately profitable to all citizens and to the nation in terms of both money and quality of life.

ACTIVITIES TO DATE. The Task Force has held five meetings. With the cooperation of Congressional staff, Task Force members, staff and volunteers and virtually the entire disability community, the Chairperson has presided over 62 public forums in 50 states, the District of Columbia and Guam, attended by more than 7,000 persons with disabilities, their families, advocates and service providers. He has also made Task Force issue presentations to numerous other meetings attended by more than 13,000 members of the disability community. The Task Force has collected and is in the process of analyzing several thousand documents submitted by citizens and organizations outlining discrimination and other

barriers which limit the activities of people with disabilities, and proposals to eliminate those barriers.

FINDINGS TO DATE. While there is general recognition that there has been great progress in the area of disability during the past few decades, there is also overwhelming evidence that people with disabilities still suffer massive discrimination, segregation and deprivation which results in unconscionable injustice to millions of individuals, and unconscionable moral and economic costs to the nation. 1. Devastating discrimination and other barriers still exist in all significant areas of life, including education, employment, communication, transportation, public access, recreation, insurance and access to vital services. 2. Pioneer independence and productivity oriented service providers have struggled valiantly to achieve excellent initial results in certain areas, but are unable to meet all the needs of our rapidly increasing disability population due to obsolete public attitudes, regulatory and bureaucratic limitations and lack of adequate funding, authority, structure and community access and support systems. 3. The rights of citizens with disabilities are inadequately protected in numerous areas, and too many protections which are provided by law remain largely unenforced. There is a clear mandate for vigorous action to implement and enforce existing and future laws and regulations. 4. Testimony in the forums seemed to reflect virtually unanimous support by the active disability community for the Americans with Disabilities Act and for a continuum of effective services and support systems designed to empower all people with disabilities as fully equal and productive participants in the mainstream of society.

PRELIMINARY RECOMMENDATIONS. The Task Force recommends Congress: 1. Move decisively to enact an effective form of the Americans with Disabilities Act. 2. Provide aggressive national leadership in the affirmative employment and other meaningful involvement of people with disabilities in roles of significant responsibility. 3. Continue to move toward a full spectrum of effective services and support systems for all people with disabilities. 4. Give particular attention to ensuring the effective implementation and enforcement of rights and services legislation, to providing affordable, quality educational opportunities for all children, youth and adults with disabilities and to enabling all people with disabilities to secure adequate, affordable medical and other insurance coverage.

THE TASK FORCE WISHES TO ACKNOWLEDGE the magnificent support it has received from numerous members and staff of Congress, particularly Task Force founder Congressman Major Owens and the members and staff of the House Subcommittee on Select Education, Senators Tom Harkin and Lowell Weicker and the members and staff of the Senate Subcommittee on the Handicapped, and all the sponsors of the Civil Rights Restoration Act, The Fair Housing Act Amendments of 1988, the Technology-related Assistance for Individuals with Disabilities Act and the Americans with

Disabilities Act, including Congressmen Tony Coelho, Silvio Conte, James Jeffords, Chester Atkins and Joe Moakley, and Senators Edward Kennedy, Robert Dole and Paul Simon. The Task Force has no public funding or private grants. Special recognition is due Task Force members, staff and volunteers, and the literally thousands of patriotic citizens and organizations in every state and territory who have contributed services, money and time to make the democratic system work.

Justin Dart
Chairperson

Dr. Elizabeth Boggs
Cochairperson

Lex Frieden
Coordinator

TONY YOUNG

THE CONGRESSIONAL TASK FORCE ON THE
RIGHTS AND EMPOWERMENT OF AMERICANS WITH DISABILITIES
M E M O R A N D U M

To : All Task Force Members
From: Tony Young, Writing Group Chair
Subj: Short Bio for Press Kit
Date: November 15, 1988

We would like to include a short bio of each member of the Task Force in the press kit used to inform the media of Task Force sponsored events.

We ask that you take a few minutes and write a 3 to 4 line bio of yourself and send it to:

Tony Young
8403 Thames St
Springfield, VA 22151-1518

We will publish exactly what you send us in all the press kits which go out over the life of the Task Force.

Thank you in advance for your cooperation.

TASK FORCE ON THE RIGHTS AND EMPOWERMENT OF AMERICANS WITH DISABILITIES

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(202) 488-7684 Voice (202) 484-1370 TDD

Appointed by Congressman Major R. Owens, Chairman, House Subcommittee on Select Education

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Co-Chairperson

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Coordinator

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Wade Blank
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Marca Bristo
Dale Brown
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Marnie Sweet
Marcia Lee Nelson
Executive Assistants

Gwyneth Rochlin
Volunteer Staff

Subcommittee Liaisons
Maria Cuprill
Robert Tate
Patricia Laird

December 6, 1988

TO: Maria Cuprill, Bob Tate, Pat Laird, Laurence Peters,
Members of the Task Force, its advisers and
contributors.

FROM: Lex Frieden, *Lex* Coordinator

by: Douglas Burleigh, Secretary

Subject: Decisions and Recommendations of Working Group during
the November 21, 1988 Teleconference

The fifth meeting of the Task Force Working Group was held on
November 21, 1988 from 4:00 p.m. to 5:00 p.m. Eastern Standard
Time by teleconference.

Teleconference participants:

Task Force Members and Staff

Justin Dart, Chairperson, presiding
Elizabeth Boggs, Co-chairperson
Lex Frieden, Coordinator
Elmer Bartels
Dale Brown
Phil Calkins
Julie Clay
Joe Rogers
Tony Young
Marcia Lee Nelson
Douglas Burleigh

Subcommittee Liaison

Bob Tate

Guest

Fred Weiner

The following major items were discussed:

1. Additional items for November 30 Task Force Meeting
2. Task Force activities, now that first round of forums are completed
3. Timing and purpose of Task Force Reports
4. Report on meeting of employers -- follow-up to October Working Group Meeting
5. Recognition of outstanding contributors to Task Force mission and ADA Bill; and principles for selecting them

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Following active discussion among participants, the following decisions or recommendations were made by the Working Group, in consensus.

Additional Items for November 30, 1988 Meeting of Task Force

1. The Working Group will recommend to the Task Force that the ADA Bill be reintroduced as presently written with possible consideration of improvements in text, added provisions (for example, insurance), and increased emphasis on enforcement.
2. Discussion of issues (for example, discrimination in insurance coverage and need to sustain and perhaps strengthen strictness of enforcement provisions), which should be presented to Congressman Owens and the Subcommittee as guidelines for modifying and improving the ADA Bill (NOTE: the Task Force will present analyses of issues and supporting data; the Subcommittee will decide whether provisions should be added or modified, and draft language, as necessary).
3. Recognition of Robert L. Burgdorf, Jr.; Research Specialist at the National Council on the Handicapped
4. Discussion of scheduling of award for Senator Lowell Weicker
5. Discussion of principles for selecting and recognizing outstanding contributors to the mission of the Task Force and the ADA Bill.

Future Task Force Activities

The Working Group decided that the Task Force should continue its fact-finding activities, focusing on areas of concern where information is lacking or insufficient. Fact-finding activities shall consist of further meetings with persons with disabilities, their advocates and other concerned citizens and service providers; and, examination of any available and relevant reports and studies. The fact-finding activities and reports of those activities will be scheduled according to the anticipated timetable and information needs of the Congressional Subcommittee as it re-introduces and considers the ADA Bill.

The planning of future fact-finding meetings shall take into consideration the following variables:

- focus on specific issues, such as
 - minorities with disabilities
 - rural issues
 - institutionalized persons with disabilities
 - educational issues
 - migrants with disabilities
 - aging persons with disabilities
 - Native Americans with disabilities
 - employers' concerns with ADA, such as, the bankruptcy provision and "double jeopardy."

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- where possible, "piggy back" on scheduled conferences of various constituents and interest groups.
- hold meetings throughout the country, tailoring the topical focus of the meetings to the concerns or prevailing problems of the locale (e.g., aged disabled in Florida and Native American disabled in Federal Region VIII).
- consider holding Congressional Hearings in selected Congressional Districts, patterned after the successful Boston Forum.

Timing and Purpose of Task Force Reports

The Working Group decided that the reports of the Task Force should be prepared according to the following considerations:

- timed to the Congressional schedule for re-introducing and marking up the ADA Bill (probably to be re-introduced shortly after Congress re-convenes).
- reports should lay out issues and present guidelines to Subcommittee for possibly modifying and improving the Bill; contents of reports could include
 - issues/emphases learned from and mandated by consumers and other concerned and affected parties during Forums, Hearings and other meetings
 - responses to questions and possible challenges anticipated from Congress and affected parties (e.g., employers and transit companies)
 - responses to issues identified and structured by Congress during hearings and mark-up sessions.
- reports should contain documentation to support weight and elements of issues and stated concerns; e.g., findings of the Forums and other data.
- reports should continue the emphasis that the ADA must contain adequate enforcement provisions and equal opportunity provisions.
- reports should fill information gaps; e.g., minorities with disabilities, institutionalized persons with disabilities, and other areas to be studied during the continuing fact-finding activities of the Task Force.

At a minimum, the Working Group envisions three reports:

1. A first interim report, being the final edition of the October 31, 1988 draft of the Executive Summary Report, marking the end of the "Forum Period." -- submitted in January, 1989.

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2. A second Interim Report, following the second round of meetings (see above discussion) -- submitted in May, 1989.
3. A Final Report -- submitted in September, 1989.

Report on Meeting of Employers

The Working Group heard a report from Phil Calkins on the meeting of employers, chaired by Jay Rochlin. Three major concerns were expressed by the employers attending the meeting: the ADA will add compliance requirements placing the employers in double jeopardy vis-a-vis Title V compliance requirements; ADA will place additional and unacceptably burdensome compliance requirements on small employers, particularly, the reasonable accommodation requirements; and, employers voiced opposition to the "bankruptcy" provision as the basis for seeking exemption from making costly reasonable accommodations.

The Working Group agreed that the Task Force should attend to, anticipate and respond to employers' concerns. Such concerns could be addressed in meetings with employers (see above discussion of continued fact-finding activities and content and purpose of reports).

Recognition of Outstanding Contributors

The Working Group unanimously agreed to recognize the outstanding contributions of Robert Burgdorf, who is leaving NCH. Mr. Burgdorf will be recognized at the November 30 Task Force meeting. The Working Group also unanimously agreed to recognize Senator Weicker. The Working Group will decide on the proper occasion for recognizing Senator Weicker. Finally, Co-chairperson Dart will draft some criteria for the Task Force to use in selecting individuals meriting special recognition of their outstanding contributions.

TASK FORCE ON THE RIGHTS AND EMPOWERMENT OF AMERICANS WITH DISABILITIES

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Appointed by Congressman Major R. Owens, Chairman, House Subcommittee on Select Education

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The Chairperson is an ex officio member of all subcommittees.

Additional volunteers are solicited.

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November 22, 1988

TASK FORCE ON THE RIGHTS AND EMPOWERMENT OF AMERICANS WITH DISABILITIES

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(202) 488-7684 Voice (202) 484-1370 TDD

Appointed by Congressman Major R. Owens, Chairman, House Subcommittee on Select Education

MEMBERS

December 14, 1988

Justin Dart
Chairperson

Elizabeth Boggs, Ph.D.
Co-Chairperson

Lex Frieden
Coordinator

TO: TASK FORCE MEMBERS AND ADVISORS

FROM: LEX FRIEDEN COORDINATOR

Attached please find several items of interest to Task Force members and supporters. These include:

- minutes of the November 21 working group teleconference;
- a list of Task Force Subcommittees;
- an updated list of Task Force members with mailing addresses and telephone numbers; and
- a request for biographical information from Tony Young, Chairperson of the Writing Subcommittee.

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Wade Blank
David Bodenstein
Marco Bristo
Dale Brown
Philip B. Calkins, Ph.D.
David M. Capozzi, Esq.
Julie Clay
James DeJong
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Ann Vinup
Sylvia Walker, Ed.D.
Patricia Wright
Tony Young

As you know, a number of Task Force members have yet to assign themselves to working subcommittees. It will be important to have all members of the Task Force engaged in working group activities after the first of the year in order to support reintroduction of the Americans With Disabilities Act and related activities. Please feel free to contact subcommittee chairpersons to volunteer and assist with specific activities. Your cooperation is appreciated.

Minutes of the November 30, 1988, Task Force meeting will be distributed to members shortly after the first of the year. If you have additional information that should be included in the next mailing, please submit it as soon as possible.

Marnie Sweet
Marcia Lee Nelson
Executive Assistants

Gwyneth Rochlin
Volunteer Staff

Subcommittee Liaisons
Maria Cuprill
Robert Tate
Patricia Laird

The Task Force has made substantial contributions to the field of disability rights during the past year. On behalf of Chairperson Justin Dart, Co-chairperson Elizabeth Boggs and myself, thank you for all your hard work this year. Enjoy the holiday season, and prepare for a full-scale effort to pass meaningful, comprehensive, non-discrimination legislation during the next Congress.

LF:rf

EQUAL ACCESS TO THE AMERICAN DREAM

TASK FORCE ON THE RIGHTS AND EMPOWERMENT OF AMERICANS WITH DISABILITIES

Justin W. Dart, Chairperson
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(202) 488-7684 Voice (202) 484-1370 TDD

Appointed by Congressman Major R. Owens, Chairman, House Subcommittee on Select Education

To: Organizers of 1988 state forums conducted by Justin Dart, Chairperson of the Task Force on the Rights and Empowerment of Americans With Disabilities, and other persons cooperating with the Task Force

From: Justin Dart

I deeply appreciate your hard work and sacrifices over the years which have brought us to the threshold of independence and equality.

We have been struggling for decades to convince the government and the nation to take seriously discrimination against people with disabilities.

Now finally ADA has been introduced, and the Congress has asked for concrete evidence that will demonstrate the need for real civil rights protection, real empowerment, and a continuum of services that will enable all Americans with disabilities to achieve their full potential for independence, productivity and equality in the mainstream of society.

WE MUST TAKE ADVANTAGE OF THIS HISTORIC OPPORTUNITY BY GIVING OUR FRIENDS IN CONGRESS THE EVIDENCE OF DISCRIMINATION THEY NEED TO CONVINCE THEIR COLLEAGUES, THE ADMINISTRATION AND THE NATION TO SUPPORT OUR EMANCIPATION FROM THOUSANDS OF YEARS OF PREJUDICE, PERSECUTION, AND THE SLAVERY OF UNJUST, UNWANTED, SUBSERVIENT DEPENDENCY.

I will appreciate your cooperation to:

1. Maximize attendance at state forums by consumers, families, service providers and advocates, emphasizing participation by authentic representatives of all major segments of the professional and advocacy communities such as MH, MR, DD, special education, VR, protection and advocacy, CAP and independent living, NCIL, ARC, NAMI, National Mental Health Consumers Association, NAD, ACB, NFB, Disabled But Able to Vote, NRA, NHIF, PVA, NARF, DAV, governor's and mayor's committees and state and local coalitions.

Participants contribute enormously to the cause of justice by their presence; it is hoped that many will be prepared to present written and/or verbal testimony in regard to specific discrimination and other barriers to equality, as well as thoughts on how such barriers can be overcome. Examples of successful state and local programs will be welcome.

2. SINCE CONGRESS NEEDS EVIDENCE OF THE NATURE AND EXTENT OF

EQUAL ACCESS TO THE AMERICAN DREAM

DISCRIMINATION NOW, IT IS VITAL THAT EACH PERSON ATTENDING THE FORUM - INCLUDING ORGANIZERS, STAFF, INTERPRETERS AND FRIENDS OF OUR CAUSE, CAST A "VOTE FOR JUSTICE" BEFORE LEAVING THE ROOM, BY WRITING ON A SINGLE SHEET OF PAPER ONE, TWO, THREE SENTENCES OR A PARAGRAPH DESCRIBING AT LEAST ONE FORM OF DISCRIMINATION WHICH THEY HAVE EXPERIENCED OR OBSERVED, ALONG WITH THEIR NAME, ADDRESS, ZIP CODE AND TELEPHONE NUMBER. ANY WHO MAY FEAR REPRISALS MAY OMIT THEIR NAMES AND ADDRESSES. I WILL COLLECT THESE AND TAKE THEM WITH ME WHEN I LEAVE.

Discrimination described may be in any area, whether covered by ADA or not, for example transportation, housing, employment, communications, education, public access, physical and psychological abuse, insurance etc.

3. Please ensure that each participant registers with legible name, address, zip code and telephone number, as well as organizational affiliation and position, if relevant. I prefer to take this list with me rather than to receive it by mail.

4. Participants should be offered an opportunity to sign our petition supporting ADA.

I will further appreciate your cooperation in encouraging vigorous efforts after the forum to collect evidence of discrimination, and to advocate for the passage and enforcement of ADA and the establishment of a continuum of independence and productivity oriented services.

1. Collect and mail to me "VOTE FOR JUSTICE" sheets from organizational staff, families, friends, local, state and national meetings, churches, civic clubs and all who love justice. Since they only take a few moments to complete, it is particularly efficient to solicit and collect these documents at a meeting, thus eliminating mailing costs for individuals, and the probability that many with good intentions will become busy and postpone or forget.

2. Encourage the writing of discrimination diaries, detailing the specific discrimination experienced by an individual during a day, a week, a month, or summarizing the problems of many years.

3. Encourage letters to congresspersons, senators, and candidates for congress and the presidency describing discrimination experienced, urging support for ADA, thanking sponsors of ADA, and asking what their position on ADA is, if they are not sponsors. Please mail copies to me.

It could be both fun and productive to hold "VOTE FOR JUSTICE" parties, at which issues and strategy could be discussed, vote for justice sheets and discrimination letters could be written and collected, and discrimination diaries could be started.

If you or your organization lack funds for postage to send these or any other documents to me, I will be happy to reimburse you.

4. For those who live near Washington, DC, encourage massive attendance at and/or messages to the August 2 joint House-Senate Hearing on discrimination and ADA (9:30 am - 12:30 pm, Hart Senate Office Building, Room 216) chaired by Senator Tom Harkins, Chairman of the Senate Subcommittee on the Handicapped, Congressman Major Owens, Chairman of the House Subcommittee on Select Education, and of course with the participation of our long time champion, Senator Lowell Weicker. All of these distinguished Americans are original sponsors of, and strong advocates for ADA, as are several other members of the subcommittees. Let's give them and the cause of justice our total support by jamming the hearing room and the halls outside with supporters for ADA, and by delivering "VOTES FOR JUSTICE" and other evidence of discrimination by the box load.

While it is important for our community to stand strong and united at the August 2 hearing, that is only the first focal point of what will probably be a long and hard struggle for the passage and enforcement of AN EFFECTIVE FORM OF ADA. There will be other hearings and events, and certainly efforts to delay ADA, and to reduce it to Uncle Tom tokenism through weakening amendments.

We must be prepared to increase and intensify our advocacy.

Above all, we of the disability community must overcome our differences and unite in our common dedication to the great principles of democracy and human justice. We must join together - all people with disabilities, families, service providers and advocates - to establish a heritage of justice and real access to the American dream for all of our children's children.

Thank you again for your support, friendship and cooperation over the years. You are the true patriots of our generations. It is a privilege to be associated with you.

I sincerely solicit your guidance in on how I, as Task Force Chairperson, or as an individual advocate, can better serve the cause of justice. Please call me, or my executive assistant, Marnie Sweet, with any suggestions or questions 202-488-7684, 202-484-4939 voice or 202-484-1370 TDD.

Together, we shall overcome.

Justin Dart

TASK FORCE ON THE RIGHTS AND EMPOWERMENT OF AMERICANS WITH DISABILITIES

907 6th Street, S.W., Suite 516C, Washington, D.C. 20024
(202) 488-7684 Voice (202) 484-1370 TDD

Appointed by Congressman Major R. Owens, Chairman, House Subcommittee on Select Education

January 5, 1989

MEMBERS

Justin Dart
Chairperson

Elizabeth Boggs, Ph.D.
Co-Chairperson

Lex Frieden
Coordinator

TO: Congressman Major R. Owens, Members of the Task Force
on the Rights and Empowerment of Americans with Disabilities,
advisors and contributors

FROM: Justin Dart, Chairperson

SUBJECT: Report on the November 30, 1988 meeting of the Task
Force: summary of major issues and decisions

Elmer Bartels
Wade Blank

David Bodenstein
Marca Bristo

Dale Brown
Philip B. Calkins, Ph.D.
David M. Capozzi, Esq.
Julie Clay

James DeJong
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Marilyn Price Spivack
Susan S. Suter

Ann Vinup
Sylvia Walker, Ed.D.

Patrishia Wright
Tony Young

Conference participants:

Task Force Members

Justin Dart, Chairperson
Elizabeth Boggs, CoChair
David Bodenstein
Dale Brown
Phil Calkins
Dave Capozzi
Julie Clay
Susan Daniels
Don Galloway
Ron Homburg for Jim Havel
I. King Jordan
Paul Marchand
Gary Olsen
Sandra Parrino
Sallie Rhodes for Curtis Decker
Liz Savage
Ann Vinup
Sylvia Walker
Tony Young
Gwyneth Rochlin
Marcia Lee Nelson

Congresspersons

Bob Tate
Bob Silverstein
Cynthia Folcarelli

Guests

Bob Burgdorf & family
Paul and Pam Hearne
Brenda Premo
Joni Tada
Margaret Burley
Mary Jane Owen
Eunice Fiorito
D. Ray Fuller
Marion Kuntz
Marnie Sweet

Marnie Sweet
Marcia Lee Nelson
Executive Assistants

Gwyneth Rochlin
Volunteer Staff

Subcommittee Liaisons
Maria Cuprill
Robert Tate
Patricia Laird

Teleconference Participants

Marca Bristo
Wade Blank
John Chappell
Jim DeJong
Eliot Dober
Lex Frieden
Joe Rogers
Leslie Faire for Ed Roberts
Marilyn Spivack
Doug Burleigh

The sixth meeting of the Task Force was held on November 30, 1988 from 2:00 p.m. to 5:00 p.m., EST, at the Grand Hyatt Washington, 1000 H. St., N.W., Washington, D.C. and by teleconference, with the Chairperson, Justin Dart, presiding.

Welcome and report by the Chairperson:

Chairman Dart called the meeting to order and expressed appreciation to Ms. Sandra Parrino, Chairperson of the National Council on Disability, for sponsoring the meeting at the Grand Hyatt Washington. He welcomed Ms. Parrino as the newest member of the Task Force. Mr. Dart paid tribute to DREDF and Pat Wright for their contributions to disability rights legislation, past, present, and future.

The minutes of the September 27, 1988 meeting were approved.

Chairman Dart presented a report to the Task Force, covering the following major points:

FORUMS AND HEARINGS

To date, sixty forums have been held in 50 States, Guam and the District of Columbia. Over 7,500 individuals participated in those forums; and, an additional 14,000 persons have been contacted at other meetings. Very successful hearings were held in Boston (chaired by Congressman Owens) and Burlington, Vermont (chaired by Congressman Jeffords). This first phase of the forums will conclude with forums being held in the Virgin Islands on December 6 and in Puerto Rico on December 7 and 8. The next series of forums will be organized to address specific populations and conditions for which there is little data on discrimination; for example, minorities and elderly persons with disabilities, and persons with disabilities living in rural areas, inner cities and institutions.

Mr. Dart congratulated all the Task Force members, staff and the many volunteers throughout the fifty states who have assisted in making the democratic system work. Mr. Dart observed that there continues to be virtually unanimous support in our community for the passage of a strong Americans with Disabilities Act, for measures to strengthen all disability-related legislation and regulations, and for a full spectrum of services that will enable persons with disabilities to participate fully and equally in the productive mainstream of society.

APPRECIATION TO CONGRESSMAN OWENS

Mr. Dart informed the Task Force that Congressman Owens gave a magnificent address at the annual meeting of the National Rehabilitation Association in Reno, Nevada. He expressed appreciation to Congressman Owens for his great and continued support of this Task Force.

RECOGNITION OF LOWELL WEICKER

Chairman Dart expressed deep disappointment that Senator Weicker was not re-elected and the consequent loss that means for Americans with disabilities. Senator Weicker's eighteen years of accumulated credibility, compassion, knowledge and experience for our cause cannot be instantly replaced. Mr. Dart stated it is his hope that the Task Force and associated organizations will provide appropriate honors and recognition. Mr. Dart entertained a motion that the Task Force unanimously commend Senator Weicker for his historic contributions to the cause of justice; and, that the Working Group and any interested persons deliberate and determine the most appropriate forum and form for recognizing Senator Weicker. The motion was made, seconded and unanimously passed.

NCD INVOLVEMENT

Mr. Dart reported on his meeting with members and staff of the National Council on Disability. NCD is engaged in an information gathering/educational process similar to that of this Task Force and equally dedicated to the passage of the ADA. The NCD has invited the Task Force to collaborate with them. Mr. Dart, hearing no discussion of or objections to this invitation, stated that the Task Force would proceed to work jointly with NCD.

Remarks by Congressional Staff

Chairman Dart acknowledged the presence of Congressional staffers Bob Tate, Bob Silverstein and Cynthia Folcarelli and requested their guidance regarding the reintroduction of the ADA and/or other subjects. Speaking for Congressman Owens and all the subcommittee staff, Bob Tate stated that the loss of Senator Weicker will be deeply felt and difficult to overcome; and, he expressed hope that the Task Force will pay tribute to Senator Weicker in a manner that befits the man. Bob Silverstein indicated there is a great likelihood that Senator Harkin will be the new chair of the appropriations subcommittee and will continue as chair of the subcommittee on the handicapped. On behalf of Congressman Coelho, Cynthia Folcarelli assured the Task Force that the ADA bill will be reintroduced the beginning of the next session and that it is a top priority with Congressman Coelho. Ms. Folcarelli expressed her disappointment over the loss of Senator Weicker and described him as a very strong colleague on disability issues. Bob Silverstein added that he and Senator Harkin also experience the loss of Senator Weicker.

Mr. Silverstein remarked that we must make sure the ADA succeeds, along with other major similar legislation. According to Mr. Silverstein, Senator Harkin expects to introduce the ADA bill the beginning of the 101st Congress and is looking for more co-sponsorship, particularly republican. In his remarks, Mr. Silverstein made the following points:

- based on experience with other pieces of legislation, there is a need for consensus, for bipartisan support, to pass the ADA.

- support from the new administration will be sought, in keeping with the promises and pledges which were made during the campaign.
- the ADA bill as-drafted probably will not pass; it will have to go through a negotiation process involving affected industries, such as, realtors and builders; some of the affected parties do not regard the ADA as civil rights legislation and are not persuaded by that argument.
- while a reasonably fast track is planned, the process takes time; the administration will need a couple of months to decide who will be coordinating; there will be a period of hearings necessary to lay foundations for this legislation; the hearings may be lengthy to produce an opportunity for the opposition to state their arguments.
- the passage of the ADA is going to be extraordinarily difficult, requiring effort on all our parts and an unbelievable education process; it will require tremendous organization in every State and city, building the capacity of our constituents to reach out to members on both sides of the aisle, in both houses of Congress; without that prolonged, extensive grassroots response, the ADA will not pass.

Commendation of Dr. Robert Burgdorf

Chairman Dart introduced Co-chairperson Boggs who presented an award to Dr. Robert Burgdorf, of the National Council on Disability, for his singular and historic contributions to justice and equal opportunities for persons with disabilities, particularly as the author of the ADA bill and as a major writer and researcher producing the NCD report to Congress, Toward Independence.

Remarks by Sandra Parrino, representing the National Council on Disability

Mr. Dart introduced Mrs. Parrino, describing her as a "fearless and tenacious advocate for equality and empowerment of productive independence of persons with disabilities. As one who has successfully fought for consumer control of independent living, the employment of persons with disabilities on the NCD staff, increased funding for NCD, 100% accessible public transportation, the Civil Rights Restoration Act, the integrity of Toward Independence, as an authentic disability rights policy, and for the ADA."

Mrs. Parrino commented on the loss created by Senator Weicker's not being re-elected; but, she added that we are lucky to have Senator Harkins and Congressman Coelho and many others as dedicated sponsors of the ADA.

Mrs. Parrino pointed out that the NCD is not permitted to lobby for the passage of legislation. The NCD will, however, carry out its support of the ADA by conducting a nationwide educational program, informing people about the bill. The NCD will encourage each State to conduct its own forums, reaching the grass roots level. Already, the NCD has conducted 1/2 day forums in three states.

The NCD has developed two kinds of educational materials: (1) a booklet presenting a synopsis of the bill in easy to understand, basic language; and (2) a larger book, summarizing the bill, explaining legal terms in the bill, and via a question and answer format, presenting answers to questions asked at the forums.

The NCD is particularly interested in educating persons and interest groups uninformed, uninformed, unsupportive or even opposed to the bill. The NCD anticipates opposition and intends to address those groups which may be opposed; groups such as, chambers of commerce, mass transportation companies, and the hospitality industry.

Mrs. Parrino applauded the work of the Task Force and pledged the cooperation of the NCD in working in partnership with the Task Force.

Reports on the Boston and Vermont Forums

Detailed reports were not presented due to the absence of Elmer Bartels, Eric Griffin and Pat Morrissey. Mr. Dart re-iterated that the forums were well attended, successful and positive.

Report of the Working Group - Dr. Elizabeth Boggs

Dr. Boggs stated that all of the items discussed during the November 21, 1988 meeting of the Working Group had already been covered, with the exception of a report on the meeting with employers, chaired by Mr. Jay Rochlin. Dr. Boggs asked Dr. Phillip Calkins to report on that meeting, in the absence of Mr. Rochlin.

Dr. Calkins reported that he and Mr. Rochlin met with a small group of large employers, who had histories and reputations of hiring persons with disabilities. The employers raised three major concerns about the ADA, as presently written. (1) With the passage of the ADA, employers would be subject to two separate Federal agencies monitoring compliance with and enforcing two separate sets of regulations governing non-discrimination; the other set being Sections 503 and 504 of the Rehabilitation Act. (2) The general feeling is that the bankruptcy provision of the ADA is unworkable. It is so stringent that a large employer who has never proven that an accommodation was unreasonable can prove bankruptcy under the ADA.

(3) It is believed that small employers will regard the additional regulations imposed by ADA as too burdensome. While this meeting was informative and characterized by candor, it should not be perceived as being representative. The Task Force must obtain complete understanding of the concerns of a much more representative sample of employers. Mr. Dart noted that the NCD, also and quite appropriately, is pursuing this issue and that this Task Force and NCD should collaborate.

Report of the Research Group - Dr. Phillip Calkins

The Research Group continues to analyze a very large number of discrimination documents generated by the forums and other sources. The group would appreciate assistance from additional members of the Task Force and associates. It is not too late to submit discrimination documents. Members and associates who attend meetings of consumers and advocates are encouraged to solicit anecdotes illustrating discrimination.

Report of the Writing Group - Mr. Tony Young

Press Packet: The Writing Group has developed a Press Packet which describes the Task Force and its purpose and functions. The packet is to be used by Task Force representatives at public events. It was premiered at the October 24, 1988 hearing in Boston. The packet consists of the September 27 Executive Summary; background information on the Task Force; brief biographies of Mr. Dart and Congressman Owens; excerpts from evidence and analyses provided by the Research Group; lists of co-sponsors of the bill; and announcements of the public event of the moment. The packet will be improved and expanded by including short biographies of all the Task Force members. Notices will be sent to all Task Force members, requesting 3-4 line biographies for inclusion in the next Press Packet.

Report Schedule: There is a tentative schedule for producing three reports to Congress. The first, interim report will be submitted in January, 1989, marking the end of the initial series of forums and hearings. The essence of this report is the Executive Summary Report of October 31, 1988, which will be fleshed out using Task Force members' critiques of that document and data syntheses and analyses provided by the Research Group.

The second interim report will be submitted in May, 1989, following the second series of forums and hearings and research activities. It will supplement the first interim report by adding data about groups of persons and areas of discrimination where little is known; e.g., about institutionalized and minority persons with disabilities. The report also will reflect the consumers' and advocates' critiques of the first interim report. This second interim report will present more specific recommendations for action. In a sense, it will be a draft of the final report. Consumers and advocates can react to this draft and submit suggestions for refinement and expansion. It is an opportunity for the community to participate in a democratic process of writing the report. The final report will be submitted to Congress when it re-convenes after Labor Day.

With increasing specificity and weight of evidence, the reports will describe the nature and incidence of discrimination, by categories.

New business - The role and functions of the Task Force

The Task Force discussed at length what roles and functions would and would not be proper and effective for the Task Force as it continues to work for the enactment of the ADA. Expert opinions were voiced and considered; and, following careful deliberation, the Task Force concluded that:

- The Task Force should recommend immediate re-introduction of the ADA bill given the 100% continuing consumer support evidenced by the forums.
- The Task Force should not advise Congress on strategies or timing for modifying the ADA bill; it is the responsibility of Congress to decide whether the ADA bill should be amended before or after its re-introduction or not at all.
- The Task Force should continue its very proper and successful function of meeting with consumers and advocates in groups and individually and conducting research and other data-gathering activities in order to understand completely and precisely the nature and extent of discrimination; and, communicating that information to Congressional co-sponsors of the ADA and to other constituent organizations.
- The Task Force should not duplicate the efforts of consumer organizations and advocacy groups which are independently, properly and effectively communicating to Congress their positions on the construction of the ADA bill and strategies for enacting it; this Task Force cannot and should not replace existing disability constituent organizations or attempt to manage all the democratic processes involved in the passage of the ADA.

In conclusion, the Task force members, by voice vote, unanimously took the position that the role of the Task Force is to communicate to the lead co-sponsors in the House and Senate (1) issues which have come forward from the disability community and (2) shortcomings in the current bill; and, then to request that the lead co-sponsors give consideration to the issues and shortcomings at such time and in such manner as they deem appropriate.

Site and time of the next meeting

Per unanimous approval of the Task Force, the Working Group will select a time proximate to the Presidential inauguration date of January 20, 1989, to accommodate Task force members and associates who wish to attend the disabilities gala scheduled for the inauguration. Mr. Dart is looking forward to bi-partisan participation in this inaugural event which he envisions as a celebration of disability rights and empowerment.

Maureen

TASK FORCE ON THE RIGHTS AND EMPOWERMENT OF AMERICANS WITH DISABILITIES

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Appointed by Congressman Major R. Owens, Chairman, House Subcommittee on Select Education

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Douglas Burleigh, Ph.D.
Gwyneth Rochlin

SUBCOMMITTEE LIAISONS

Maria Cuprill
Robert Tate
Patricia Laird

August 20, 1989

Dear Colleague:

Enclosed is the executive summary of the findings and recommendations of the Task Force on the Rights and Empowerment of Americans with Disabilities as of August 20.

Please feel free to copy or excerpt this document, and to use it in any way to encourage support for the rights and productive independence of people with disabilities.

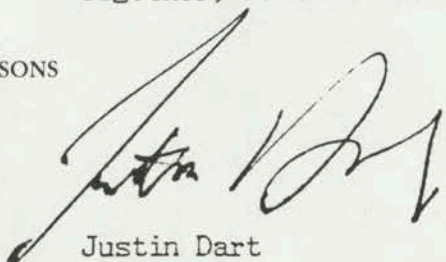
THANKS TO YOUR SACRIFICES, HARD WORK AND ADVOCACY OVER THE YEARS, ADA has now been endorsed by President Bush, and by a majority of the members of both the Senate and the House.

However there is still a long, hard road ahead to passage and implementation. There is serious opposition to ADA from powerful interest groups, who mistakenly fear that their constituencies will be negatively impacted by the Act. Of course the contrary is true; ADA will benefit business and all citizens in terms of both money and quality of life.

THIS MESSAGE, AND YOUR ADVOCACY FOR ADA MUST BE COMMUNICATED CONSTANTLY AND MASSIVELY TO THE WHITE HOUSE, AND TO THE MEMBERS OF THE CONGRESS. THOSE WHO HAVE ANNOUNCED THEIR SUPPORT MUST BE THANKED AND ENCOURAGED TO VIGOROUS LEADERSHIP FOR ADA. THOSE WHO HAVE NOT YET ANNOUNCED THEIR SUPPORT MUST BE URGED TO DO SO. ALL MUST BE TOLD THAT ADA MUST NOT BE WEAKENED. IT MUST BE PASSED IN A FORM THAT LAYS A FOUNDATION FOR PEOPLE WITH DISABILITIES TO ACHIEVE EQUALITY IN ALL ASPECTS OF THE MAINSTREAM OF SOCIETY.

ADA IS THE MOST IMPORTANT LEGISLATION OF OUR LIFETIMES. LIKE THE CIVIL RIGHTS ACT OF 1964, IT IS NOT PERFECT. IT WILL NOT SOLVE ALL OF OUR PROBLEMS. BUT IT IS THE COMPREHENSIVE STATEMENT OF EQUALITY THAT IS THE ESSENTIAL FOUNDATION FOR ALL SOLUTIONS. KEEP YOUR LETTERS, TELEGRAMS AND CALLS COMING.

Together, we shall overcome.



Justin Dart

EQUAL ACCESS TO THE AMERICAN DREAM

TASK FORCE ON THE RIGHTS AND EMPOWERMENT OF AMERICANS WITH DISABILITIES

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"Congress must take prompt action to consider and to pass the Americans with Disabilities Act of 1989."

EQUALITY FOR 43 MILLION AMERICANS WITH DISABILITIES A MORAL AND ECONOMIC IMPERATIVE

The report of the Task Force on the Rights and Empowerment of Americans with Disabilities - Executive Summary of findings and recommendations as of August 20, 1989.

The Task Force is mandated to make recommendations to Congress as it considers the Americans with Disabilities Act. This landmark human rights legislation will extend to people with disabilities the same comprehensive civil rights protection which has been enjoyed by all other major minorities for 25 years.

The Americans with Disabilities Act has been co-sponsored by a majority in both the Senate and the House. The Senate version has been endorsed by the President of the United States. ADA is supported by all major disability advocacy organizations, and by over 99% of the thousands of persons with disabilities, their advocates and others presenting evidence to the Task Force and to the Congress.

"It is vital that any further changes in ADA clarify and/or strengthen its present requirements that contribute to the fully equal participation of people with disabilities in the mainstream of society. Partial equality is no longer tolerable to Americans with disabilities."

THE TASK FORCE

The Americans with Disabilities Act was introduced in Congress on April 28, 1988. It was reintroduced, in a modified form, in the current Congress on May 9, 1989. On August 2, a further amended, bipartisan version of the Act was adopted 16-0 by the Senate Committee on Labor and Human Resources. This historic legislation would extend to people with disabilities the same type of comprehensive civil rights protection that has been enjoyed by all other major minorities for 25 years.

The Task Force on the Rights and Empowerment of Americans with Disabilities was established on May 2, 1988 by Congressman Major R. Owens, Chairman of the House Subcommittee on Select Education. Composed of 35 distinguished representatives of every major segment of the nation's 43 million American citizens with disabilities, the Task Force is mandated to collect information and to make recommendations which will assist the Congress as it considers the Americans with Disabilities Act.

FINDINGS

The members of the Task Force, available research and more than 10,000 persons with disabilities and their advocates attending 63 Task Force forums and eight congressional hearings in 50 states have provided overwhelming evidence that:

- In spite of great progress in the area of disability during the past few decades, millions of Americans with disabilities are still subjected to massive discrimination and segregation in all significant aspects of their lives. Too many suffer blatant infringement of their most basic human rights. Too many have little or no participation in the decisions that control their lives.
- Our very promising pioneer services to enable people with disabilities to be productive and independent are severely constrained by traditional discrimination, obsolete attitudes and inaccessible environments.
- Discriminatory attitudes result in a widespread laxity in the enforcement of existing disability rights and services legislation.
- Blocked by discriminatory and paternalistic practices from fulfilling their potential for productive and satisfying lives, people with disabilities form this nation's most isolated, unemployed, impoverished and dependent minority. The depth of their spiritual suffering is impossible to express in words.
- This forced dependency of a large proportion of our increasing population of people with disabilities has resulted in heavy and rapidly escalating economic burdens on government, business, families and taxpayers. Using data provided by federal agencies the Task Force estimates that the unnecessary unemployment of more than 8 million working age citizens with disabilities costs our society in excess of \$246 billion annually.

CONCLUSIONS

- America cannot afford either the moral or economic price of discriminatory practices. The cost of eliminating discrimination will be a small fraction of the cost of allowing it to continue. Initial investments in the rights and productive independence of people with disabilities have already proven to be profitable to every citizen and to the nation as a whole.
- Americans with disabilities will never overcome the massive injustice to which they are subjected, and achieve their full potential for equal participation in the productive mainstream of society, until they are fully protected by a comprehensive body of civil rights law. The Americans with Disabilities Act of 1989 is a good foundation for such a body of law.

RECOMMENDATIONS

- Congress must take prompt action to consider and to pass the Americans with Disabilities Act of 1989. The Senate and the House versions of the Act differ in some respects. Both represent substantial compromises by the disability community in order to minimize the burdens on the private sector of transition to equal opportunity practices. Nevertheless, they are good basic mandates for eventual equality. The members of the Task Force unanimously endorse both the Senate and House versions of ADA, S-933 as amended and HR-2273. At the same time the Task Force urges Congress to be extremely cautious that the final writing the Act truly accomplish its stated purpose: "to provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities."

It is vital that any further changes in ADA clarify and/or strengthen its present requirements that contribute to the fully equal participation of people with disabilities in the mainstream of society. Partial equality is no longer tolerable to Americans with disabilities. Partial equality, written into law, simply institutionalizes discrimination and guarantees more segregation, more unemployment, and more public and private expenditures for welfare. ADA must be consistent with the principle of full equality.

- The President and the executive branch should provide vigorous public and administrative leadership for the passage and implementation of ADA.
- All citizens who believe in a just and productive America should advocate for the enactment of ADA, and take decisive action to make the rights which the Act mandates real in their communities.

TASK FORCE ON THE RIGHTS AND EMPOWERMENT OF AMERICANS WITH DISABILITIES

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Appointed by Congressman Major R. Owens, Chairman, House Subcommittee on Select Education

MEMBERS

October 2, 1989

tfrepcol.02

Justin Dart
Chairperson

Dear Colleague:

Elizabeth Boggs, Ph.D.
Co-Chairperson

Lex Frieden
Coordinator

Enclosed is the Executive Summary of the findings and recommendations of the Task Force on the Rights and Empowerment of Americans with Disabilities as of October 2, 1989. I call your particular attention to pp. 3-7, which contain an item by item discussion of the major issues raised by opponents of the Americans with Disabilities Act, now before the House. This material will be useful for you as you advocate for the Act in your community.

Elmer Bartels
Wade Blank
David Bodenstein
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Dale Brown
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Thanks to your advocacy ADA has been strongly supported by the President, and passed by the Senate, 76-8. But the vote in the House will be much more difficult. Stung by their loss in the Senate, the big money lobbies opposing ADA are going all out to promote killer amendments.

Your leadership is more important now than ever before. I ask each one of you to join me in launching a tidal wave of letters, calls and telegrams to Washington.

We must thank our supporters in the House and Senate, and the President. We must communicate to all members of the House and to the White House that ADA is the most important issue of our lives. It will define the humanity of people with disabilities to every citizen of this nation. It will be a model for the world. It must be enacted in a form that provides equal or greater civil rights protection for people with disabilities as S-933, passed by the Senate and endorsed by the President. THERE MUST BE NO WEAKENING AMENDMENTS. Because partial equality, written into law, will condemn millions in future generations to Jim Crow citizenship - in America and throughout the world. It will guarantee more segregation, more unemployment, more poverty, and more massive expenditures for unwanted welfare.

We cannot afford to fail our children's children.

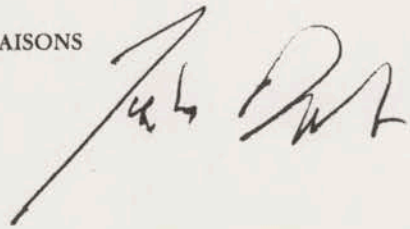
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Gwyneth Rochlin

Together, we shall overcome.

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EQUAL ACCESS TO THE AMERICAN DREAM

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Appointed by Congressman Major R. Owens, Chairman, House Subcommittee on Select Education

bostmem

October 4, 1988

To: Dr. Elizabeth Boggs, Lex Frieden, Task Force members,
Congressional liaisons, advisers, staff and volunteers.

From: Justin Dart

The Boston forum chaired by Congressman Owens will be held on October 24 at the LaFayette Hotel, 1 Avenue de LaFayette, from 10am to 6pm. All Task Force members are invited to attend and to urge their organizations and associates to promote attendance at the forum by residents of Massachusetts, Connecticut, Rhode Island, New Hampshire, Maine, New York and other nearby states, and to recommend strong witnesses from all constituencies. All members are urged to arrange cosponsorship by associated organizations. For further information, contact Marnie Sweet, 202-484-4939, Boston Forum working group chair, Eric Griffin, 508-559-9091 or cochair John Chappell, 617-727-4828.

Although the decision to hold the Boston forum seemed to receive consensus support at the August 10 and September 27 Task Force meetings - I believe there was one dissenting vote at an August working group meeting - concerns have been heard. Two Task Force members and a few others have expressed fears that because the forum will be held just two weeks before the presidential election in the home city of one of the candidates, the desired focus on the rights and empowerment of Americans with disabilities and ADA might be eclipsed by efforts to attack Governor Dukakis, or to glorify him to the disadvantage of Vice President Bush. There have been statements of these concerns by both Democrats and Republicans.

I have the greatest respect for the individuals expressing these concerns. The risks they point out are quite real. Yet I believe, apparently with a majority of our colleague members of the Task Force, that risks must often be taken. The status quo has traditionally promised oppressed minorities that if they were patient, cooperated with the system and didn't make waves, equality would evolve. But to my knowledge this promise has never been kept. Equality has been taken through vigorous, aggressive advocacy by the oppressed, or it has not occurred.

EQUAL ACCESS TO THE AMERICAN DREAM

We who are associated with the Task Force are all too familiar with the massive and profoundly immoral discrimination, segregation, humiliation and deprivation to which millions of our colleague citizens with disabilities are subjected every hour of every day. Shocking numbers of potentially proud, productive human beings suffer lifetimes of severe poverty, psychological and physical abuse, and untimely death.

We of the Task Force are responsible to these people. We must somehow focus the attention of America on the true horror and the unaffordable moral and economic costs of this injustice, and on the excellent solutions which are available. Forums held at focal points of a hard fought presidential campaign offer us unique opportunities to do this.

Martin Luther King has observed that "Freedom has always been an expensive thing." Our founding fathers, and patriotic members of virtually every generation of Americans since, have taken very great risks - often paying a heavy price - to establish, preserve and expand the freedoms and opportunities for increased freedoms that we have today. We can do no less.

Both Governor Dukakis and Vice President Bush have endorsed the concepts of ADA, and have in other ways demonstrated potential to establish administrations under which progress for people with disabilities can occur. I personally applaud these endorsements. I believe in positive politics and will do everything within my power to consolidate and to expand the fragile, infant relationships which our movement is establishing with both major parties. If Republican and Democratic leadership will respond positively to our positive outreach, and give consistent, vigorous public support to our efforts to eliminate discrimination, segregation and paternalism, I do not think they will have much to fear from the Boston forum or any other action which we take.

The decision has been made to hold a forum on October 24 in Boston. Boston, Massachusetts is readily accessible to at least five other nearby states. It is my perception that this decision has the full support of Congressman Owens and his staff, the Boston Forum Working Group, and the majority of the members of the Task Force. The National Council of Independent Living has invested considerable time, effort and money in moving their national board meeting from Chicago to Boston, so that they can support and participate in the forum. Leaders of the disability community in the Boston area are reported to be enthusiastic. Preparations are going forward. A good number of individuals have already indicated their desire to testify.

I believe that all members of the Task Force join me in total

opposition to any effort to politicize our activities to the detriment of Americans with disabilities. I feel that the Task Force as a whole and its individual members have a good record in this regard. We have now held or participated in about 100 meetings in all fifty states, with no significant political problem that I know of. I am confident that all of us will make a special effort to minimize risks of political pollution of the October 24 Boston forum.

With great leadership by distinguished members and staff of the Congress, and by certain members of our Task Force, the September 27th joint Senate-House hearing on ADA was an inspirational communication to the nation. Let us now unite to do the same in Boston.

TASK FORCE ON THE RIGHTS AND EMPOWERMENT OF AMERICANS WITH DISABILITIES

Justin W. Dart, Chairperson
907 6th Street, S.W., Suite 516C, Washington, D.C. 20024
(202) 488-7684 Voice (202) 484-1370 TDD

Appointed by Congressman Major R. Owens, Chairman, House Subcommittee on Select Education

vtfmem

October 9, 1988

To: Dr. Elizabeth Boggs, Lex Frieden, Task Force members,
Congressional liaisons, advisers, staff and volunteers.

From: Justin Dart

The Task Force will cosponsor a public forum chaired by Congressman James Jeffords on October 26 in Montpelier, Vermont, 10am-1pm. Mrs. Dart and I plan to attend. All Task Force members are urged to encourage their organizations and associates to promote cosponsorship of and attendance at the forum. For further information, contact Rick Douglas, 802-241-2196, Pat Morrissey 202-225-7101, or Marnie Sweet 202-484-4939.

Thanks to Congressman Jeffords and Pat Morrissey, who have been consistent supporters of ADA, disability rights and the Task Force.

To: Members and Advisers

From: Justin Dart JD

Date: October 20, 1989

The Task Force has sent similar
letters to every member of
congress.

TASK FORCE ON THE RIGHTS AND EMPOWERMENT OF AMERICANS WITH DISABILITIES

Justin W. Dart, Chairperson

907 6th Street, S.W., Suite 516C, Washington, D.C. 20024
(202) 488-7684 Voice (202) 484-1370 TDD

Appointed by Congressman Major R. Owens, Chairman, House Subcommittee on Select Education

MEMBERS

Justin Dart
Chairperson

Elizabeth Boggs, Ph.D.
Co-Chairperson

Lex Frieden
Coordinator

October 2, 1989

tfrepltr.02

The Honorable Robert Michel
U.S. House of Representative
House Office Building
Washington, D.C. 20515

Dear Congressman Michel:

Elmer Bartels
Wade Blank
David Bodenstein
Frank Bowe, Ph.D.
Marca Bristo
Dale Brown
Philip B. Calkins, Ph.D.
David M. Capozzi, Esq.
Julie Clay
Susan Daniels, Ph.D.
James DeJong
Eliot Dober
Don Galloway
Keith Gann
James Havel
I. King Jordan, Ph.D.
Paul Marchand
Connie Martinez
Celane McWhorter
Oral Miller
Gary Olsen
Sandra S. Parrino
Ed Roberts
Joseph Rogers
Liz Savage
William A. Spencer, M.D.
Marilyn Price Spivack
Ann Vinup
Sylvia Walker, Ed.D.
Patrisha Wright
Tony Young

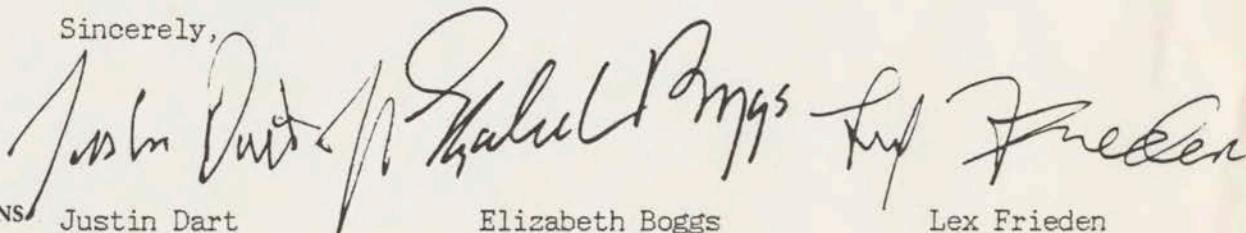
Enclosed is the Executive Summary of the findings and recommendations of the Task Force on the Rights and Empowerment of Americans with Disabilities as of October 2, 1989. We call your particular attention to pp. 3-7, which contain an item by item discussion of the major issues raised by opponents of the Americans with Disabilities Act, now before the House. In making its final decision on this historic civil rights legislation, it is vital that the Congress fully consider the opinions of the nation's leading authorities on disability issues, as well as the views of authentic representatives of the 43 million citizens with disabilities whose lives will be most affected by the Act.

The Task Force appreciates your support for people with disabilities over the years. Your leadership is more important now than ever before.

ADA will define the humanity of people with disabilities to every citizen of this nation. It will be a model for the world. It must be enacted in a form that provides equal or greater protection for people with disabilities as S-933, passed by the Senate, and endorsed by the President. There must be no weakening amendments. Partial equality, legitimized by law, will condemn millions in future generations to more segregation, unemployment, poverty and costly welfare dependency.

The members of the Task Force stand ready to assist you and your staff in any way possible in the process of completing action on ADA as a true mandate for equality.

Sincerely,



VOLUNTEER STAFF

Douglas Burleigh, Ph.D.
Marcia Lee Nelson
Gwyneth Rochlin

SUBCOMMITTEE LIAISONS

Maria Cuprill
Robert Tate
Patricia Laird

Justin Dart
Chairperson

Elizabeth Boggs
Cochairperson

Lex Frieden
Coordinator

EQUAL ACCESS TO THE AMERICAN DREAM