

EDWARD M. KENNEDY, MASSACHUSETTS, CHAIRMAN

CLAIBORNE PELL, RHODE ISLAND
HOWARD M. METZENBAUM, OHIO
SPARK M. MATSUNAGA, HAWAII
CHRISTOPHER J. DODD, CONNECTICUT
PAUL SIMON, ILLINOIS
TOM HARKIN, IOWA
BROCK ADAMS, WASHINGTON
BARBARA A. MIKULSKI, MARYLAND

ORRIN G. HATCH, UTAH
NANCY LANDON KASSEBAUM, KANSAS
JIM JEFFORDS, VERMONT
DAN COATS, INDIANA
STROM THURMOND, SOUTH CAROLINA
DAVE DURENBERGER, MINNESOTA
THAD COCHRAN, MISSISSIPPI

NICK LITTLEFIELD, STAFF DIRECTOR AND CHIEF COUNSEL
KRISTINE A. IVERSON, MINORITY STAFF DIRECTOR

United States Senate

COMMITTEE ON LABOR AND
HUMAN RESOURCES

WASHINGTON, DC 20510-6300

February 22, 1991

T.A.

Dear Mr. President:

The purpose of this letter is request that you reconsider the funding levels included in your budget regarding the implementation of the Americans with Disabilities Act (ADA). In light of your personal commitment to this landmark legislation, you might not be happy with the decisions made in your name by the Office of Management and Budget.

On July 26, 1990, along with 3,000 Americans, I witnessed the signing of the ADA, the 20th century emancipation proclamation for people with disabilities. I'll never forget your powerful statement that the ADA takes a "sledgehammer" to the wall of discrimination that prevents people with disabilities from participating in the mainstream of American life. In recounting the historic nature of this legislation in your State of the Union address, I was also moved by your statement that the ADA "unshackles the potential of Americans with disabilities."

In addition, I was impressed by your "pledge" of "full support" for the ADA and your expression of "great honor to preside over the implementation of the responsibilities conferred on the executive branch by this Act" and your "pledge" to "fulfill those responsibilities efficiently and vigorously."

Equally impressive was your recognition that there would be a need to follow-up these pledges with action. For example, you were correct in recognizing that a broad-based technical assistance campaign would have to be mounted to educate the general public about the ADA and there would be a need to involve trade associations representing the business community, advocacy groups, and other similar organizations in the technical assistance effort.

As chief sponsor of the ADA, I enjoyed working closely with you in making the ADA a reality. As Senator Dole stated on numerous occasions, the passage of the ADA represented the best example of bipartisanship in action. As a member of the Committee on Appropriations, I looked forward to once again working with you, this time to carry out your pledges regarding funding for ADA implementation.

The unfortunate truth is that OMB is either unaware of your pledges or has chosen to ignore them because your budget regarding ADA implementation in the words of a government

official is "outrageous" and "is devastating for this law's implementation."

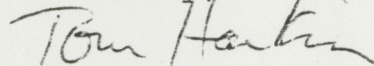
Shortly after the final regulations implementing section 504 of the Rehabilitation Act of 1973 were published in the Federal Register, President Carter made pledges that were similar to your pledges. In 1991 dollars, this pledge was translated into a technical assistance campaign funded at a level of \$50 million. The unfortunate truth is that your Administration's budget for technical assistance can be counted in the thousands of dollars.

What is equally distressing is that the budget fails to provide any where near the resources necessary for even the most basic implementation of the other responsibilities (such as policy development, oversight, and complaint resolution) placed on the Department of Justice, the Equal Employment Opportunity Commission, the Department of Transportation, the Federal Communications Commission, and the various other executive agencies.

Mr. President, the budget submitted in your name makes a mockery of your pledge. The budget will not support the staff and technical assistance efforts that will be necessary to "efficiently and vigorously" implement the law. The promises of the ADA will simply not come to pass if the budget request is not modified to provide adequate funding for the implementation of the ADA.

I urge you to direct Mr. Darman to fix his egregious mistakes. With your help, those of us in Congress who are concerned with fulfilling the promise of the ADA and your pledges to Americans with disabilities and the business community will make the ADA a reality and not a false promise.

Sincerely,



Tom Harkin
U.S. Senator

The Honorable George Bush
President
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500