

Statement on Final Passage of the Americans with Disabilities Act

Senator Bob Dole

June 27, 1990

Mr. President, I rise today in support of final passage of the Conference Report on the Americans with Disabilities Act.

Yesterday this body listened as Nelson Mandella challenged us to show our support for the South African struggle for equality. Today we come to the Senate floor to consider another struggle for equality -- a struggle that has challenged Americans with disabilities over the life of our nation.

I have supported the ADA because I believe it is a just and fair bill which will bring equality to the lives of all Americans with disabilities. Our message to America today is that inequality and prejudice will no longer be tolerated. Our message to people with disabilities is that "your time has come."

The Americans With Disabilities Act will empower 43 million Americans with disabilities to exercise their rights and participate in the mainstream of American life. The Americans with Disabilities Act will enrich our nation by supporting the talents, skills and abilities of a minority group which has up until now been on the sidelines. We are all winners as we stand in support of this legislation.

I am optimistic that this legislation will set a tone as we

enter a new decade. Just as we have seen the walls go down in Eastern Europe, we are now witnessing some of our own walls crumbling--the walls of prejudice, isolation, discrimination and segregation. We have paid dearly for our policies of the past--discrimination costs both in human terms and financial terms. Keeping people with disabilities out of the workforce and dependent on government subsidies is a policy of the past.

Let's consider what this legislation will yield in terms of opportunities for persons with disabilities. In terms of employment -- it will offer accessible environments and reasonable accommodations to empower persons with disabilities to utilize their full potential in strengthening the workforce. Transportation is the critical link to employment. This bill will result in accessible public transportation to and from the work site.

Living independently and with dignity means opportunity to participate fully in every activity of daily life, be it going to the movies, dining in a restaurant, cheering at a baseball game, communicating by phone or going to the doctor. The ADA offers such opportunity to persons with disabilities.

The tough but fair enforcement remedies of ADA, which parallel the Civil Rights Act of 1964, are time-tested incentives for compliance and disincentives for discrimination. The technical assistance efforts mandated in ADA will support two efforts critical to the mission of ADA: 1) they will inform persons with disabilities about their rights under the law and 2)

provide the necessary support to business and industry as they undertake the important job of implementing the law.

In this legislation we have not made exceptions for any specific disability. We have included persons with mental retardation and persons with cerebral palsy, even though many people fear and misunderstand those disabilities. We have included persons who are deaf and persons who are blind, even though many people misunderstand those disabilities. We have also included people with AIDS and other diseases, even though there is a lot of fear and misunderstanding surrounding many diseases.

We have included all people with all disabilities because that's what this bill is about -- replacing misunderstanding with understanding. We have not said that you have to employ a person in a job they really cannot do, or in a setting where they will pose a danger to the health or safety of other people. What we have said is that these decisions must be made about individuals, not groups and must be based on facts, not fears.

We have had a patch work quilt up until now -- an inconsistent and piecemeal approach to disability policy. Today we move to embrace the most comprehensive civil rights legislation our nation has ever seen. Today we move to put old stereotypes and attitudes behind us -- where they belong.

And I might add that I am especially pleased to note that for the first time in the history of this body, we are actually applying a law that we pass to ourselves! Sen. Grassley's

amendment which makes the Americans With Disabilities Act applicable to the U.S. Congress, is an important component of this legislation. It sends a message to the small business community, the transportation industry and other entities covered by the requirements of ADA, that we are accountable to the same standards we have set for the rest of the nation.

I would like to note that this legislation is the result of hours, days and months of hard work and negotiations on both sides of the aisle and within the disability and business communities. These negotiations represent the beginning of the important work that lies ahead as persons with disabilities join forces with business and industry to strengthen our nation's productivity and commitment to a society of equal opportunity.

No individual in America embodies a commitment to equal opportunity more than President Bush. His unflagging support of the ADA and his continued eagerness to sign this legislation into law are evidence of unparalleled leadership in the White House on behalf of persons with disabilities. Mr. President, we are proud that we have reached this juncture, and confidently send this legislation to your desk.

In 1964 this body declared discrimination illegal and laid a civil rights foundation which we build upon today. I am reminded of Martin Luther King's challenge to our nation when he said: "Let us not judge a man by the color of his skin, but rather by the content of his character." If he were alive today, I imagine he would be pleased with our efforts. Perhaps he would amend his

challenge and ask that we not judge people on the nature of their attributes, but rather judge our society on its ability to embrace the unique contributions of each of its citizens.