

MEMORANDUM

Date: January 7, 1995  
To: Senator Dole  
From: Alec Vachon  
RE: JOHN HAGER

*John Hager*

- \* John Hager dropped in this week, with personal news. He has "retired," with a golden parachute from his employer. Last year, his employer, American Tobacco Company, was acquired by a British firm, B.A.T. Industries P.L.C. Although a number of American Tobacco executives got the axe at that time, John was promoted--to Senior Vice President. However, B.A.T. continues to downsize management and he was let go this week--with a good deal. They will carry him for the next year and a half until he qualifies for his pension. I gather he is now financially independent.
- \* John is looking for something to do. He has thought of running again for Chairmanship of the Virginia GOP. He may also take another run at reviving the RNC Disability Advisory Committee--although with Jeannie Austin gone there will be probably even less interest than before (which was only just above zero).
- \* I suspect John would also be interested in helping out with any future plans you might have.

*cc: Dan*





UNITED STATES SENATE  
OFFICE OF THE MAJORITY LEADER  
WASHINGTON, D. C.

BOB DOLE  
KANSAS

January 9, 1995

Dear John,

Just a brief note to wish you the best on your early "retirement" -- although I expect that you will soon be busier than ever. I know your leadership -- among Virginia Republicans, on disability issues -- will continue to be very important.

Please keep me informed of your plans. I hope I may call on you for assistance in any future undertakings.

Elizabeth sends her fondest regards to you and Maggie as well.

Sincerely,

BOB DOLE

Mr. John Hager  
4600 Sulgrave Road  
Richmond, VA 23221

cc: Dan



together some of the most interesting people on Earth to see who can beat

velous. The grounds look good. Turn up the lights.

## ADA compromise

The Americans with Disabilities Act, better known as the ADA, has become the political whipping boy and girl for local governments, and not without reason.

Unreasonable bureaucrats are issuing suspicious and often highly unreasonable and irresponsible rulings, based on a clear law.

Bend over backward, especially in public-owned property, to make it comfortable for people with handicaps to use facilities.

As everyone may not know, our own powerful U.S. Republican Sen. Bob Dole played a major role in seeing this legislation become law, with the urging of then Republican President George Bush. These two important GOP leaders are not considered lightweights in the catacombs of the federal bureaucracy built up by years of the freedoms to try to do what's right with government.

Helping the handicapped at every possible turn within reason is certainly doing what's right.

Now, however, thanks to local staff agendas and local politics, we are told far and wide that the ADA may help a few but it is a killer for the rest of us.

The politicians down at Hutchinson

City Hall are even trying to hint that Bob Dole himself is leading the charge to load up and spend up our taxes on worthless property. Namely, Convention Hall. And yet that hall of the people was one of the first in the nation to recognize the handicapped and to provide for them before there was an ADA imposed by Washington.

Yes, Dole, who got his handicap fighting a war, is a strong proponent of the ADA. Most reasonable people in both parties in Congress are. But would they join silly bureaucrats? Would they join the bad business of tearing down the hall of the people? The guess here is that, given the story straight, they'd help the people fight to hang onto it.

When the ADA rules and regulations are arbitrary and capricious and may cause us unnecessary tax pain, our locals must fight them tooth and nail for compromises that make sense.

It isn't enough just to say that something can't be done or won't be done or couldn't or shouldn't be done just because Uncle Sam might get on our case. We're as much Uncle Sam as we are City Hall. The ADA was not designed to kill great old neglected public buildings.

*Calix V. = Follow up on this w/ City*

I THINK



AV → Senator Dole

Wall Street Journal (op-Ed page), July 26, 1995 (Wed.), p. A12.

...in our view its limits, especially the "loser pays" provision in the abuse version, should be preserved and extended to other classes of litigation as well. And while serious people can differ over this provision or not, the important thing is to get the reform process started.

"This is not an eleemosynary talk," a reporter quoted a seminar leader at a trial lawyers convention last week. "I sue stock brokers. It is a growth industry, and you ought to get into it." This kind of brazenness calls for some limits.

### and Drugs

Survey also analyzed which children are most likely to resist. Race isn't a factor. Nor does it matter whether a child lives in the suburbs instead of the city or with one or both parents. Instead, the survey found that the children most apt to say no to drugs practice a religion, perform well at school, are hopeful about the future (expect to do as well or better than their parents), receive parental guidance, and think marijuana is dangerous.

So the good news seems to be that with the help of a good family and a religion, kids can resist the siren song of the pushers. The bad news is that most of our children don't live in that world anymore. The results of the Columbia poll, taken together with research by the Partnership for a Drug-Free America, the University of Michigan and others, paint a stark picture of the world our children live in. Instead, it's

...however much each nation is misreading the other's motivations, the practical reality is that the two countries are on a collision course.

...Taiwan understands these realities far better. It clearly sees a power vacuum at one end of Pennsylvania Avenue and op-

...the U.S. model of economic and political development, and view the U.S. presence in the Pacific as an essential counterweight to the burgeoning power of both China and Japan.

...ity in 1997 to reverse almost a decade of deteriorating Sino-U.S. relations.

Ms. House is president, international of Dow Jones.

## ADA — Not a Disabling Mandate

By JANET RENO AND DICK THORNBURGH

Today, America celebrates the fifth anniversary of the Americans with Disabilities Act, the ADA. It is a good time to step back and examine a record of substantial achievement. Already, barriers to the full participation of people with disabilities are coming down—in grocery stores, restaurants, and hotels, in government buildings, banks and movie theaters.

In 1990, before the ADA became law, people with disabilities often could not get a job, ride a city bus, or go to a restaurant or store. These barriers imposed staggering costs on the country. In signing the ADA, President Bush estimated that each year federal, state and local governments spent almost \$200 billion to support people with disabilities.

When it passed the law, Congress found that an overwhelming majority of individuals with disabilities lived in isolation and dependence. And it recognized that when store owners or employers excluded people because of their disabilities, civil rights laws were simply inadequate to redress this discrimination.

Thanks to the ADA, this bleak picture is beginning to brighten. The nation's six million private businesses and 80,000 state and local governments are making their services accessible to disabled people.

To a great extent, these outstanding results are a testament to the approach the Justice Department—in both Republican and Democratic administrations—has taken to enforcing the ADA. Our top

priority has been to encourage voluntary compliance. We have geared the department's efforts toward education—providing technical assistance and information to help businesses and local governments comply with the act in easy, cost-effective ways. We have turned away from fringe issues and focused on the core principles of the act: equal access to goods and services that are necessary to daily life. And we have sought to use the ADA's enforcement tools—litigation and civil penalties—only as a resort against those who thumb their noses at the law.

Readers of this page frequently hear a different story about the ADA. Although a recent Harris poll, commissioned by the National Organization on Disability, found that the overwhelming majority of business leaders support the act, some journalistic naysayers have charged that the law imposes unreasonable burdens. They mischaracterize the ADA by implying that it requires businesses to spend outrageous sums removing barriers almost overnight.

These criticisms miss the mark. The ADA's requirements provide flexibility to business and government. The ADA strikes a carefully calibrated balance between the rights of people with disabilities and the legitimate concerns of business and government, including cost. It merely codifies common sense.

For example, businesses must remove architectural barriers in existing facilities only when this goal is "readily achievable," that is, only when it can be done

"without much difficulty or expense." What may not be readily achievable for a small business this year may well be achievable if profits improve next year. And the ADA encourages low-cost ways to solve a problem. Restaurants do not have to provide menus in braille; waiters can read them to blind customers. A business located on the second floor of an older building need not install an elevator; it would be enough to offer curbside service to customers with disabilities.

Critics also charge that the ADA requires extensive renovation of all state and local government buildings. Again, they don't understand the law. The ADA requires all government programs, not all government buildings, to be accessible. Local governments need not do anything that would result in an undue financial burden. A town library, for example, need not provide elevators to reach upper floors, so long as librarians are available to retrieve books for patrons who use wheelchairs.

Finally, some claim that the ADA is harming businesses by subjecting them to lawsuits by people without real disabilities. But litigation under the act has been rare. The Justice Department and the Equal Employment Opportunity Commission, together, have averaged fewer than 25 suits during each of the past five years. A Justice Department review revealed about 650 ADA cases nationwide. Whether you compare these numbers to the total number of non-ADA cases in federal courts (about 850,000) or the number of employers covered by the act

(about 650,000), one thing is clear: The ADA has not resulted in a flood of litigation.

Further, the ADA does not require employers to hire anyone who is not qualified for the job. An employee or job applicant may not succeed in claiming discrimination under the ADA unless he or she meets all of the requirements of the job and can perform its essential functions. The act simply demands that employers provide "reasonable accommodation" for otherwise qualified workers. Experience shows that most accommodations can be made without difficulty and at little or no cost. A recent study commissioned by Sears indicates that of 436 reasonable accommodations provided by the company, 69% cost nothing, 28% cost less than \$1,000 and only 3% cost more than \$1,000.

Most people in the business community understand that the ADA has been good for business; it has expanded the markets served by most establishments and opened the doors to productive people with disabilities, all at a minimal cost. We are committed to making the ADA's goals a reality, to give Americans with disabilities an equal chance to participate in all this nation has to offer.

Ms. Reno is the attorney general of the United States. Mr. Thornburgh was attorney general in the Bush administration.

### THE WALL STREET JOURNAL.

Peter R. Kann Chairman & Publisher Kenneth L. Burenga President