



1

2

3

4

5

AMERICAN INSTITUTE OF ARCHITECTS

6

7

8

9

1997 UNIVERSAL ACCESSIBILITY CONFERENCE

10

ATTORNEY GENERAL JANET RENO

11

KEYNOTE SPEAKER

12

13

14

15

Renaissance Hotel

16

999 9th Street, N.W.

17

Washington, D.C.

18

June 12, 1997

19

20

21

22

2

1 P R O C E E D I N G S

2 Thank you very much. It's a pleasure  
3 for me to be at this conference today, and it's  
4 a special privilege to speak before the  
5 American Institute of Architects which has been  
6 so helpful to us in this past year in our  
7 efforts to rebuild churches which have been the  
8 victim of church arsons across the country.

9 Through the AIA, architects have  
10 donated their services free of charge in the  
11 construction and the renovation of burned  
12 churches. I would also like to thank the AIA  
13 for sponsoring this conference. I think it is  
14 just a classic example of how people should be  
15 working together.

16 I have a very soft spot in my heart  
17 for architects. My mother announced, when we  
18 lived way out in about 21 acres of pinewoods,  
19 that she was going to build a house because we

20 needed a bigger house. We didn't know quite  
21 what she meant, but she drew plans and she  
22 talked about it and planned, based on south

3

1 Florida's wonderful southeast breezes. She  
2 designed the whole house to avoid air  
3 conditioning if possible. She put so much  
4 thought into it, but we never believed it would  
5 be a reality.

6 To see that house take shape from  
7 those plans was to me one of the great  
8 miracles. And to have lived in that house  
9 since then, since 1951, and to have it survive  
10 storms, and to have it continue to function  
11 without air-conditioning, even in south  
12 Florida, with cross ventilation is, to me, a  
13 recognition of the architect in my mother. It  
14 inspires me every day, and it also gives me a  
15 very great regard for architects across this  
16 land.

17 I will point out, however, that in  
18 the last year or two of her life, she was in a

19 wheelchair quite often, and she hadn't designed  
20 it to be accessible, and I cursed it every  
21 single day.

22 This conference is a fine example of

1 what our nation's disability rights laws are  
2 all about. Private parties and government  
3 working together to ensure that all Americans,  
4 regardless of their disabilities, have full and  
5 equal access to all that America has to offer.

6 I am so gratified to see design  
7 professionals sitting down with people from the  
8 access board, the Department of Justice and  
9 disability rights advocates in a candid, good  
10 faith effort to bring down the barriers. It's  
11 an effort in the finest American tradition and  
12 I salute you for it.

13 For there should be no doubt what's  
14 at stake here. It is nothing less than  
15 assuring that our nation's future is  
16 barrier-free and open to all. It's about  
17 assuring that every American has a full and

4

18 equal opportunity to make the most of their  
19 talents, and to participate fully in our  
20 nation's social, economic and civic plight.

21 Universal accessibility is not about  
22 special designs to accommodate people with

5  
1 disabilities. It is about designing buildings  
2 so that everyone can use them, both people with  
3 disabilities and without them. When buildings  
4 are designed from the ground up with universal  
5 accessibility in mind, we all benefit in so  
6 many ways at such very little cost.

7 The ADA and the Fair Housing Act  
8 Amendments are forward-looking laws. They  
9 place their most stringent requirements on new  
10 construction, where incorporating accessibility  
11 features is less costly and less burdensome.  
12 If we ignore or we evade these requirements, an  
13 immense opportunity is going to be lost, the  
14 opportunity to make access a reality for all  
15 Americans, an opportunity to change the face of  
16 America for millions of Americans. And we will

17        have to undergo the costly and the painstaking  
18        process of retrofitting our buildings to  
19        include the accessibility features that should  
20        have been included in the first place.

21                    But if we take the requirements of  
22        accessibility to heart, if we build our new

6

1        construction in a genuine and in a sincere  
2        attempt to comply with the law, then our  
3        accessible future will be assured.

4                    As we move forward, as new buildings  
5        go up and old ones are renovated, we can change  
6        the face of America. Our nation will become  
7        more and more accessible to all people, and all  
8        Americans will be more and more able to realize  
9        their fullest potential as workers, as  
10       consumers, as citizens, as people.

11                   We've already begun to see it happen.  
12        The ADA has been in effect now for nearly seven  
13        years, and the Fair Housing Act Amendments for  
14        nearly nine. In that time, we've reached out  
15        to explain the law, persuade people to comply

16 with the law and to enforce the law if they  
17 didn't comply. We've seen most people comply  
18 voluntarily once the law's requirements were  
19 explained to them. And as a result, we've seen  
20 the barriers coming down across America.

21 Because of the ADA, because of people  
22 in this room who are advocates, because of

7

1 people in this room who are architects who  
2 care, doors are opening to jobs, to stores, to  
3 city halls, to courthouses. All those places  
4 that are an essential part of the life of a  
5 productive and an active citizen.

6 Doors are also opening to places of  
7 rest and relaxation, places that are also part  
8 of any well- rounded life. Places like movie  
9 theaters, restaurants, hotels and sports  
10 stadiums, and the vehicles necessary to get you  
11 there. And thanks to the Fair Housing Act, the  
12 doors are now opening to apartments and  
13 condominiums as well.

14 As people with disabilities face

15 fewer arbitrary limits on where they can live,  
16 all that this nation has to offer is becoming  
17 more accessible every day. And it's happening  
18 because Americans are coming together to  
19 understand how important, and how simply  
20 wonderful the ADA and the Fair Housing Act  
21 really are.

22 Look at what we have seen in these

8  
1 seven years in terms of people gaining access,  
2 of people in your workplace that couldn't get  
3 around, that had limitation in what they could  
4 do. Look at what is happening when you walk  
5 into a courtroom and see how America has opened  
6 up to blind people who are now prosecutors, and  
7 doing a wonderful job.

8 Just look around you at family or at  
9 friends, at workplaces, wherever you are, and  
10 you will see what the ADA has done to open up  
11 America and to make America richer and stronger  
12 for having so many more people have access to  
13 this nation and its heart.



14                   So the disability rights laws are  
15           already at work, and a great deal of the credit  
16           goes to the very caring, conscientious design  
17           professionals fully committed to designing  
18           buildings that are open to everyone. To those  
19           here, who by your participation here indicate  
20           that you're one of those, I say, thank you.

21                   We can build on the progress that  
22           you, the advocates, the Department of Justice

9

1           have made. And we can make accessibility a  
2           lasting feature in our nation's design  
3           landscape. We must all work together and we  
4           must each do our part, and I pledge the  
5           Department of Justice's best efforts to doing  
6           our part.

7                   But what is your role? You are the  
8           people licensed by the state to design  
9           buildings. You are the ones who builders look  
10          to for guidance on how to construct the  
11          facilities that they want to put up. You have  
12          the power to explain to builders how to provide

13 full access for people with disabilities. You  
14 have the creativity to make buildings fully  
15 accessible while still meeting your clients'  
16 design goals.

17 Your clients are not the only ones,  
18 however, that rely on you. All of society  
19 relies on architects. After Hurricane Andrew,  
20 I walked out into the desolation that  
21 surrounded our house. All the trees were down.  
22 It looked like a World War I battlefield.

10

1 Houses throughout the area were damaged or were  
2 destroyed, but that house that my mother, the  
3 architect, had designed had lost only one  
4 shingle and some screens.

5 All of society relies on architects  
6 who do their job. We rely on you to exercise  
7 your best professional judgment to design  
8 facilities that are safe and sound. We rely on  
9 you to tell your clients when their plans would  
10 be unsafe, and we rely on you to stick to your  
11 guns.

12                    If a client told you to design a  
13                    building with one fire exit when two are  
14                    required, or to use a design that was  
15                    structurally unsound, we'd expect you to tell  
16                    your client that you could not participate in  
17                    creating such a safety risk. If your client  
18                    insisted, we would expect you to stand firm.  
19                    Your unique expertise and the important role  
20                    you play in the community give you that  
21                    responsibility.

22                    The same responsibility extends to

11

1                    accessibility. We know that new buildings can,  
2                    and all but the most exceptional circumstances,  
3                    be designed to provide full and equal access  
4                    and at little or no cost. You wouldn't design  
5                    a building that would be unsafe, nor would you  
6                    design a building with separate facilities for  
7                    black people and white people. And neither  
8                    should you design a building that shuts out  
9                    people simply because of their disabilities.  
10                    Whatever your client says, you have an

11 obligation to produce designs that provide full  
12 and equal access to all.

13 In many ways, those responsibilities  
14 exist independently of any law. The future of  
15 construction in America is in many ways up to  
16 you, and we as a society are relying on you to  
17 help create an open and barrier-free nation.  
18 You have the opportunity to make it happen, and  
19 we want to work with you, not against you,  
20 every step of the way.

21 I want to emphasize that we seek to  
22 work with you, not to litigate, not to oppose

12  
1 in angry terms. At the Justice Department, we  
2 have worked with architects as well as  
3 governments and other businesses to achieve  
4 voluntary compliance. Our plan is a very  
5 simple one: educate people as to the  
6 requirements of the law; educate people as to  
7 how the law can benefit, not just with those  
8 with disabilities but all Americans; explain  
9 the law; provide technical expertise; get

10 information to people about how it can be done  
11 reasonably and without a burdensome expenditure  
12 of monies. Then, negotiate.

13 There may be disagreement, but  
14 negotiate in the best of good faith using, when  
15 appropriate, means of law, alternate dispute  
16 resolution, so that we can come to a common  
17 understanding that is in the best interest of  
18 all concerned. And third, if we have to and I  
19 don't want to, but I'm prepared to, we will  
20 litigate and litigate as vigorously as  
21 possible.

22 But we found that that's not

13

1 necessary some of the time. We found that many  
2 businesses will voluntarily comply with the ADA  
3 and the Fair Housing Act once they know what  
4 the law entails. I have had on two separate  
5 occasions business representatives, industry  
6 representatives come to the Department of  
7 Justice. And when they first came, they said  
8 that when they first dealt with the ADA, they

9 found the regulations terrifying. That upsets  
10 me. I want to make sure that we make the  
11 regulations, the requirements, as easily  
12 understood as possible, and that we work with  
13 you in that effort.

14 These are common sense laws. They  
15 are flexible and they are reasonable. And as  
16 businesses come to understand this, more and  
17 more choose to comply on their own. You've  
18 probably found that too, as you've explained  
19 the requirements of federal law, local building  
20 codes and other requirements to your clients.  
21 That's why we've conducted a nationwide  
22 campaign. We've done this, not just to

14

1 familiarize businesses and local governments  
2 with these obligations under the law, but also  
3 to provide the tools for people with  
4 disabilities to use in their attempts to  
5 achieve compliance as well.

6 Our efforts have been extensive.

7 Over the past four years, we've been blanketing

8 the airways and filling mailboxes with  
9 information about the law. We've put ADA  
10 information files in 15,000 public libraries  
11 across the country. We've mailed information  
12 packets to millions of businesses. And we've  
13 also put an ADA home page on the worldwide Web.  
14 Both the Department of Justice and the  
15 Department of Housing and Urban Development are  
16 committed to providing technical assistance to  
17 aid people who are attempting to comply.

18 One thing that many businesses and  
19 architects have found particularly helpful is  
20 our ADA information line, a toll-free phone  
21 number that receives more than 75,000 calls  
22 each year. But in the spirit of working

15  
1 together, I ask you -- and Mr. President, I  
2 ask you -- let us know when we can do more,  
3 when we can be more responsive in providing  
4 information and explaining requirements, and  
5 working together to make sure that this law is  
6 a reality for all Americans.

7                   We've also engaged in more long-range  
8           educational efforts. We've been working with  
9           architectural schools to help make  
10          accessibility a part of the curriculum that  
11          every design professional learns. As I said,  
12          the disability rights law looks to the future.  
13          And we see a future where universal  
14          accessibility is truly a universal part of  
15          architectural training, where accessibility,  
16          like safety and structural soundness is a basic  
17          element of all design and construction.

18                   This conference is a further example  
19          of how important education is. But not only  
20          must universal accessibility be something every  
21          architectural student learns, it must be a part  
22          of the continuing education every practicing

16  
1          architect undergoes. This conference is a good  
2          start, and I urge you to do more for education  
3          is the key to our common goals.

4                   Even if we work together, we may  
5          still end up disagreeing, even after education,



6 even after negotiation, disagreeing about the  
7 scope of your legal responsibilities. My view  
8 and the Department of Justice's view should be  
9 clear: the ADA requires that new facilities be  
10 designed and constructed to be readily  
11 accessible to, and usable by people with  
12 disabilities. The Fair Housing Act Amendments  
13 impose a similar requirement on new apartments  
14 and condominiums.

15 Everyone involved in the design and  
16 construction process has an obligation to  
17 comply with these requirements, and everyone  
18 involved in that process may be liable if a  
19 building does not comply. This is a position  
20 we feel strongly about. We have defended it in  
21 court, and it is one that we will continue to  
22 defend whenever necessary.

17  
1 The ADA and the Fair Housing Act are  
2 both the law of the land. They're binding on  
3 architects as well as developers. And we will  
4 work with you to make sure that we seek

5 compliance, but we will take action whenever it  
6 is necessary. I think, when I see the example  
7 of this conference, that it will be less and  
8 less necessary as time goes by.

9 But too often it's attitudes as much  
10 as any structural obstacle that prevent people  
11 with disabilities from contributing the  
12 fullness of their talents. The only way to  
13 change these attitudes is to increase the  
14 opportunity for people with disabilities and  
15 people without disabilities to interact with  
16 each other.

17 Let me tell you what I mean. About a  
18 year ago, a lawyer in the Department of Justice  
19 came to me, claiming that people denied him the  
20 opportunity to really seek courtroom work  
21 because of his disability. About two years  
22 ago, a person had come to me. His name was Joe

18  
1 Hartzler. Joe Hartzler could not get through  
2 one door of the Justice Department with his  
3 scooter because it was not accessible. Another

4 door just happened to be accessible.

5 Joe Hartzler is the person who, day  
6 in and day out for the last two years, has  
7 represented the United States in the McVeigh  
8 case. And the opportunity for people to see  
9 him, and the opportunity he has had to have  
10 access to that courtroom and to contribute the  
11 fullness of his talent is an example of how  
12 important it is to break down the architectural  
13 barriers, to give people like Joe Hartzler and  
14 that other lawyer the opportunity to break down  
15 the attitudinal barriers.

16 I don't expect the law to change the  
17 world overnight. For far too long, the doors  
18 remained shut. And in many places, they still  
19 do. But one day soon, all the doors are going  
20 to be open, and you're going to be holding the  
21 keys. You've stepped up to this responsibility  
22 by your presence here. You're helping to build

19  
1 a barrier-free America. By coming together, I  
2 think we are well on our way to doing that.

3                   We have a commitment too. The  
4           Department of Justice and I, for as long as I  
5           am attorney general and even after that, are  
6           committed to working with you every step of the  
7           way in a common effort to change the face of  
8           America, and to give America access to  
9           wonderful talents and wonderful strengths, and  
10          wonderful people.

11                   Thank you very much.

12                                   (Whereupon, at 11:25 a.m. The  
13                                   PROCEEDINGS were adjourned.)

14                                   \* \* \* \* \*

15

16

17

18

19

20

21

22