

DEPARTMENT OF JUSTICE

THE VOICES OF FREEDOM
AMERICA SPEAKS OUT ON ADA

NATIONAL COUNCIL ON DISABILITY
A FORUM ON THE AMERICANS WITH DISABILITIES ACT

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ADDRESS BY THE HONORABLE JANET RENO,
ATTORNEY GENERAL OF THE UNITED STATES

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THE NATIONAL PRESS CLUB
WASHINGTON, D.C.
TUESDAY, JULY 25, 1995

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P R O C E E D I N G S

ATTORNEY GENERAL RENO: Thank you, Dick Thornburgh.

I am so happy to be here. And happy birthday to everybody.

[Applause.]

One of the people that is most responsible for us all being here, one of the people that was most responsible for getting this Act passed and who deserves so much credit is Dick Thornburgh. He and Mrs. Thornburgh -- [applause.]

The nation's civil rights laws have long received bipartisan support and the ADA is no different. And the fact that we are both here this morning, I think, speaks volumes for the sound foundation of this wonderful law and I really appreciate your joining everyone this morning to demonstrate to all America that it is not a Republican issue, it is not a Democratic issue, it is a people issue.

[Applause.]

And as a people issue, I think, Marcus, now

would be a good time to hear the Council's report and hear from the people who are making the ADA work.

[Applause.]

[Report of the Council.]

ATTORNEY GENERAL RENO: We have heard the voices of the people of America in these last 30 minutes. We have heard loud, clear, eloquent voices. These are the voices that have made the ADA a success. They have opened the nation's doors, they are helping to open people's minds. And Justin and Marca have helped me in the two and a half years that I have been in office understand the tremendous potential of all the humans and all the hearts of this land, in the small Tennessee Valley, in metropolitan Washington, wherever we go, we see examples of the greatness of the human spirit and what can be done if we have trust and confidence and faith in all our people.

I have heard so many success stories, but what you all have done here today is so really incredibly important. Because by speaking out, by showing others just what a difference one little supporter can make, it makes such a difference for us

all. There is a ripple effect across this land.

On the ADA's third anniversary I was taken out to Tacoma Park, Washington. It is a small little town right on the edge of the District. There I saw firsthand how easy it is to comply. I took a walk down one block of Takoma Park, one long block, and I talked to small business owners who together with disability rights activists had made their community accessible, a ramp at a gift store, wider aisles at a pharmacy, a new door at the town's health clinic. It is just magic, what one step can make in the life of a person. And I began to understand, because I came back to the Department of Justice and met with business leaders who said, when they first were confronted with the ADA, it seemed terrifying, but then they worked with advocates, they worked with people whose eloquent voice let them understand how easy it was to comply, and it made a difference.

I walked one short block to see how far we had come, but it also made we realize how much further we have to travel. We can't fool ourselves. We have got a lot to do, but together we will get there. Last

year on the fourth anniversary, I met with business owners from across the country who took steps to comply voluntarily, just as Jock did, but the reason they did it is because they had somebody who walked in and said, "Hey, you could make a difference in my life just by taking this one step."

It is amazing what happens when people with disabilities speak out and show the world what can be done by people who care and want to see this Act complied with. There was Tim from a small town in Kansas. He just wanted a bendable straw from the local dairy queen so that he could drink a milkshake. And when the owner asked him what else he could do, Ken gave him some more ideas and before long, the entire store was accessible. There was a 17-year-old Brad from Albertville, Alabama. He traveled through town telling businesses how they could comply. And by explaining what the law really required, he helped them overcome their initial fears and misperceptions. That is in a small town. Think of what we can do if we start with the big cities of America and block by block, neighborhood by neighborhood, show what can be

done and how easy it is to comply.

The people here today, those of you in the audience, have helped America learn what we should -- what all Americans should know. The ADA, like all our civil rights laws, is about common sense and simple justice, and faith in the human spirit. By opening up opportunities to the 49 million Americans with disabilities, the ADA promotes independent, productive living and in the process, it enriches the lives of everyone. And it is also, as Jack points out, good business, if you can't get them the other way.

[Applause.]

But there still are some people that don't understand what the ADA is all about. They don't understand what it means. In some quarters, it is under attack. Some are trying to distort it beyond recognition. They say ADA lawsuits are flooding the courts. They tell tales of allegedly frivolous or fringe cases. They say we at the Justice Department sue first and ask questions later. They say it is a big bother. Well, they are just plain wrong.

[Applause.]

It is easy to comply with the ADA, it is easy to make a difference in the lives of millions of Americans. The ADA is not flooding the courts. In fact, it has resulted in a surprisingly small number of lawsuits, only about 650 nationwide. That is a tiny number compared to the six million entities covered by the Act, or compared to the 666,000 public and private employers or the 80,000 state and local governments.

One of the reasons there are so few lawsuits is because those in the disability community have taken responsibility for educating business and employers on cost-effective, easy ways to comply. You have sought access, not litigation, and we have all benefited from your action. We at the Justice Department have also worked with businesses and governments to achieve voluntary compliance. For us it is simple. Educate first, negotiate second, and, if I have to, I will litigate.

[Applause.]

We would much rather spend money and see a business spend money on attracting new customers than defending a lawsuit. We would rather see a business

pay for access than for attorneys' fees. In fact, since the law went into effect, the Justice Department has only had to resort to litigation 20 times, and we have never lost.

[Applause.]

In that same period, our efforts, along with yours that are so much more eloquent, have led to businesses across this country complying voluntarily. In that period, our efforts have led to settlements in more than 350 cases affecting tens of thousands of persons. That is about one settlement every three days. But as I have said in the past, we are not going to tolerate those who thumb their noses at the law. We stand ready to use all the enforcement tools that Congress provided, and if we must, we will.

The cases we pursue are not unreasonable. They are not frivolous. Instead, we focus on the fundamentals, providing equal access to goods and services that most Americans take for granted. Our cases make a real difference in the lives of millions. I am proud of the commonsense steps the Department has taken, and America can be proud too.

Both the Republican and the Democratic administrations have seen these laws enforced; and because of the efforts, because of the bi-partisan effort, persons who use TDD's can now get through to 911 in Los Angeles and Chicago. Customers who do not drive because of a disability can now use a state ID when paying by check at department stores. People with HIV or AIDS can get help from Philadelphia's emergency medical technicians. Hotels from Manhattan to Maui are open to all. And in many states, individuals seeking professional licenses will no longer have to answer overly intrusive, irrelevant mental health questions.

These are just a few of the examples, for we have also begun to open the gateways to educational and professional opportunities, opportunities for thousands of students with disabilities taking licensing tests or review courses; opportunities for thousands of citizens with disabilities wanting to get into a city hall to make their voices heard, to make their position known as part of this great democracy, who want to serve on a jury who are now willing and able to.

Our enforcement program has demonstrated to

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us that businesses and governments are willing to comply once they learn what is required. That is because, as Attorney General Thornburgh has stated, the law is flexible, it is reasonable, it only requires change where it is readily achievable or where it will not produce an undue burden. So we have mounted an extensive national public education campaign, a campaign to educate Americans about their rights and their obligations under the law. Many of you have seen our information packets in the 15,000 libraries across the country, or called our toll-free hotline, or maybe you have seen or heard Winston on our award-winning public service announcement.

To see that PSA film, to see the reaction of people across America who stop me on the streets and say, "Thank you for opening my eyes" -- we have all got to continue to seek them out because it is making such a difference. It is working. But no education campaign can be effective unless we all join together. I have heard your stories today loud and clear and, Kristopher, I am not going to forget you. I am going to be citing Kristopher Hazard's story as an example

for many years to come.

[Applause.]

Gregory Lamont Dougan, I am not going to forget your name and I am going to remember it as a symbol of what we can do to make a difference.

All of your stories are the stories that must echo through this land in a time when some seek to accentuate the negative, you all have this morning accentuated the positive, the positive forces of this great land.

You are the ambassadors for access, the ones whose stories must grace the pages for our newspapers, the ones who must go forth and shift the law into the next century. You must help demonstrate that businesses should achieve access, not just because it is the law, but because it is the right thing to do.

We should not expect the ADA to change America overnight. Decades of indifference cannot be undone in five years. For far too long the doors remained shut and in many places, they still do. But one day soon they too will open, because each of you are the key. We are committed to working with you

every step of the way to ensure for all Americans true
access in this great democracy.

[Applause.]

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