



National Council on the Handicapped

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An Independent Federal Agency

November 12, 1987

To: National Council on the Handicapped

From: Robert L. Burgdorf Jr. *RLB*

Subject: Attached drafts of Americans with Disabilities Act bill

Enclosed you will find two versions of a bill to establish a comprehensive equal opportunity law for persons with disabilities. The first, which is dated October 15, 1987, was produced by the Legislative Counsel of the Senate directly from the Council's version of the bill, which was discussed at the last two Council meetings.

The second version is dated November 12 and represents the Legislative Counsel's print-up of a current version of the bill. This version is based upon the October 15 draft, but reflects changes recommended by Senatorial staff, disability rights attorneys, and representatives of (primarily) Washington-based consumer and service provider organizations.

The most significant difference between the two versions is that the earlier draft included coverage of the Federal Government, Federal contractors, and Federal grantees, in addition to public accommodations, housing, transportation, employment, and activities of State and local governments, while the later draft takes what I call the "doughnut approach" and covers the latter types of discrimination but does not address areas of discrimination already encompassed by Sections 501, 503, and 504 of the Rehabilitation Act. There are a number of other changes, but many of these represent what I believe are very useful and prudent clarifications and elaborations that are consistent with the intent of the earlier draft. The changes in the language are scheduled to be discussed in detail on Monday afternoon of the Council meeting next week. To assist with this discussion, Mrs. Parrino has requested staff to prepare a side-by-side type of presentation of the two versions of the bill, along with an explanation of any changes, but we wanted to get the two versions out to you now so that you can have the opportunity to read them before the meeting.

It is clear that the bill is beginning to pick up some of the momentum that we hoped it would. Due to efforts of Council members and the Chairperson, Senators Weicker and Harkin, and Representatives Coelho and Conte are scheduled to be principal sponsors of the bill. Cosponsorship will be a topic for consideration at the Council meeting. Groups such as DREDF, the Leadership Conference on Civil Rights, the Consortium of Citizens with Developmental Disabilities, PVA, and many others are beginning to line up in support of the bill. We look forward to a full discussion of the bill, its changes, and status at the Council meeting.