



West

THE COUNCIL OF STATE GOVERNMENTS

Celebrating 30 Years of the Americans with Disabilities Act (ADA)

If you filled out an employment application in the 1980s or any time prior to that, you may remember one of the questions being, “Do you have a physical or mental disability?” If applicants with visible or hidden disabilities answered honestly, the unfortunate reality was that this often resulted in them not advancing to the next phase of the hiring process. The signing of the [Americans with Disabilities Act \(ADA\)](#) on July 26, 1990 by President George H.W. Bush began to change this reality. On the South Lawn of the White House that summer, he cited a portion of the Declaration of Independence as being words that have guided the United States for more than two centuries in trying to form a more perfect union. [His remarks](#) continued:

“But tragically, for too many Americans, the blessings of liberty have been limited or even denied. The Civil Rights Act of ‘64 took a bold step towards righting that wrong. But the stark fact remained that people with disabilities were still victims of segregation and discrimination, and this was intolerable...”

This Act... will provide our disabled community with a powerful expansion of protections and then basic civil rights... [F]irst the ADA ensures that employers covered by the Act cannot discriminate against qualified individuals with disabilities. Second, the ADA ensures access to public accommodations such as restaurants, hotels, shopping centers and offices. And third, the ADA ensures



expanded access to transportation services. And fourth, the ADA ensures equivalent telephone services for people with speech or hearing impediments...”¹

While the signing of the ADA by President Bush should be recognized as a significant achievement, it should also be remembered that advocacy efforts addressing these issues had been taking place for decades prior. As far back as the Great Depression (1935) protests were organized at New York City’s (NYC) Emergency Relief Bureau by young adults with disabilities. NYC and federal policies categorized all disabled people as “unemployable” which excluded them from work relief programs. Born out of these protests, the League of the Physically Handicapped actively rallied against discrimination in Works Progress Administration projects.² The Works Progress Administration (WPA), renamed the Work Projects Administration in 1939, employed more than 8.5 million people on 1.4 million public projects before it disbanded in 1943. Created by President Franklin Roosevelt to relieve the economic hardship of the Great Depression and employed skilled and unskilled workers in a variety of work projects- many which were public works projects such as building parks, roads, bridges, schools, and other public structures.³

In 1940, the National Federation of the Blind (NFB) was founded in Wilkes-Barr, Pennsylvania and is still in existence today as the largest organization of blind people in the United States. Early on, members of the NFB advocated for full

¹ [Transcript of Remarks By The President During Ceremony for the Signing of the Americans with Disabilities Act of 1990](#)

² Longmore, Paul K., and David Goldberger. "The League of the Physically Handicapped and the Great Depression: A Case Study in the New Disability History." *The Journal of American History* 87, no. 3 (2000): 888-922. Accessed July 8, 2020. doi:10.2307/2675276.

³ [The Living New Deal](#)



implementation of Aid to the Blind, the first federal antipoverty program for disabled adults.⁴

The University of California, Berkeley, and the Bay Area in general, became ground zero in the 1960s and the 1970s for the independent living movement. A coalition of quadriplegic students who called themselves “The Rolling Quads” were at the forefront and led by Ed Roberts. Roberts was quadriplegic as a result of contracting polio as a teenager and was initially denied admission to UC Berkeley because of his disability, but with his family’s support and legal action, he became the first person with a significant disability to attend the University. The activism of the Rolling Quads and others resulted in the University being one of the most accessible institutions of higher education during these years.⁵

The independent living movement adopted techniques from the civil rights’ non-violent organizing actions like protests and sit-ins. Sit-ins were planned nationwide at regional offices of the Department of Health, Education, and Welfare (HEW) including Atlanta, Boston, Chicago, Dallas, Denver, Philadelphia, New York, Seattle, and at the headquarters in Washington, D.C. All of the sit-in protests ended the same day they initiated apart from San Francisco which became the longest non-violent occupation of a federal building in United States history lasting approximately 26 days. This event became known as the 504 Sit-In because of the legislative precursor to the ADA, The Rehabilitation Act of 1973, which included Section 504 based on the 1964 Civil Rights Act. It stated, in part, that “no qualified individual with a disability should, only by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or

⁴ <https://www.nfb.org/about-us/history-and-governance>

⁵ [Berkeley disability activists took cues from the civil rights era- and sparked a national movement](#)



be subjected to discrimination under any program or activity receiving Federal financial assistance.”⁶

Beginning in 1988, Congressional Hearings were held during the 100th Congress with an intent to prohibit discrimination on basis of a disability. Former Senator Tom Harkin (IA), who served as chair of the Committee on Health, Education, Labor and Pensions in the U.S. Senate authored and was chief sponsor of the ADA of 1990. His older brother, Frank, was deaf as a result of spinal meningitis when he was 7 years old.⁷ Senator Harkin witnessed his struggles and was inspired to do the hard work and focus on the issues because of Frank. The ADA of 1990 was bipartisan legislation and many members came together to support and ensure its’ passage in both chambers of the U.S. Congress and signage by President Bush. As a fitting gesture of the occasion, on July 13, 1990 when the ADA passed in the Senate, Senator Harkin delivered a [speech in American Sign Language](#).

This month CSG West pays homage to the 30th Anniversary of this landmark legislation. On July 29, as part of the two-day Virtual Annual Meeting, [Jessica Cox](#) will share her inspiring story as the keynote speaker. Best known for becoming the first armless pilot in aviation history, Jessica motivates others to push beyond their perceived limitations to achieve their dreams.

Later that same day, Robert “Bobby” Silverstein, a disability attorney with over four decades of experience, will join Kristin Vandagriff, Executive Director of Alaska Governor’s Council on Disabilities & Special Education, in looking back to

⁶ [The 1977 Disability Rights Protest That Broke Records and Changed Laws](#)

⁷ [Library of Congress Information Bulletin November 1998](#)



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celebrate successes as well as look ahead to what is left to accomplish in the area of disability rights and employment.

Bobby served as staff director and chief counsel for the Subcommittee on Disability Policy of the U.S. Senate Committee on Labor and Human Resources which former Senator Tom Harkin served as Chair. In that role, he negotiated and drafted bipartisan consensus legislation and was known as the “behind-the-scenes architect” of more than 20 bills enacted into law, including the ADA.⁸

Kristin was employed for more than six years with Hope Community Resources working directly with people who experience disabilities. She has been involved with advocacy in the realm of people with disabilities for over 19 years and is very personally invested in this work, as her brother has an intellectual and developmental disability. She is very proud of his achievements and looks forward to continuing to grow opportunities for people with disabilities in Alaska.

Join us for these inspiring sessions and more! Visit the [CSG West website](#) to learn more and register.

⁸ [Powers Pyles Sutter & Verville PC](#)