

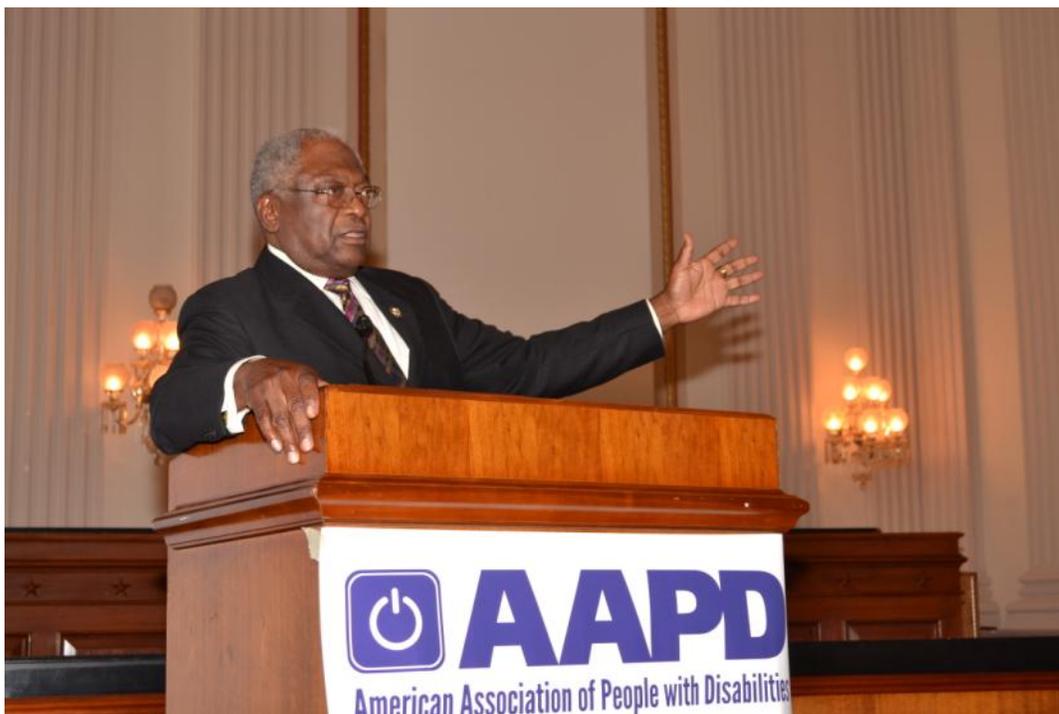
# AAPDnews

THE QUARTERLY NEWSLETTER FOR AAPD MEMBERS



## Justice for All Awards 2012

**AAPD and allies celebrate disability rights accomplishments on the 22nd Anniversary of the ADA**



*Congressman Jim Clyburn*

On July 26th, AAPD continued our tradition of celebrating our movement's leaders and accomplishments on the ADA's anniversary. This year's Justice for All Awards not only celebrated remarkable figures in our movement; it showcased the diversity and quality of our work. The 2012 Justice for All Award winners are Congressman Frank LoBiondo (R – NJ), Congressman Jim Clyburn (D – SC), Highmark Inc, writer Mark Pinsky, and disability rights activist Gary Arnold.

AAPD's commitment to wounded warriors runs through all we do. Access to employment, health care, housing, and transportation are just some of the priorities that affect these members of our community. This year, AAPD honored Congressman Frank LoBiondo, who has represented New Jersey in the House since 1995, for his continued work on behalf of veterans, especially veterans with service-connected disabilities. Rep. LoBiondo promotes legislation to ensure that service-disabled veterans receive the disability and retirement benefits that they have earned, worked to protect veterans' health benefits, is an advocate for programs supporting veterans with PTSD, and

*continued on page 3*

### INSIDE THIS ISSUE

4

Accessible Pools

7

AAPD Intern Blog

9

Transportation Equity

**People Are Policy:  
Q&A with  
Congresswoman Cathy  
McMorris-Rodgers**

**AAPD: It's been 22 years since the Americans with Disabilities Act was signed into law. What new opportunities do you see for today's generation of people with disabilities?**

**CMR**: During that 20 years, a generation of children with intellectual disabilities have been educated in inclusive settings and they have become a more visible part of their community. This is a terrific testimony to those who worked so hard to have ADA

*continued on page 8*



Mark Perriello

# A Message from Mark Perriello

No matter how hot it gets in DC, the AAPD staff just don't slow down. Along with our coalition members, we launched a national campaign to prevent hotel industry lobbyists from rolling back the ADA. We welcomed 30 talented interns and gave them a week-long professional development orientation

featuring leaders from government, non-profits, and the private sector. On July 26, we celebrated the 22nd anniversary of the ADA by honoring extraordinary people who are working for our rights every day.

I've always believed that our strength comes from across the country, not just inside the Beltway, and that our mission knows no boundaries. This summer has confirmed my belief. On the ADA's anniversary, the Senate Foreign Relations Committee voted favorably on the Convention on

the Rights of Persons with Disabilities. Once approved by the full Senate, this treaty will spread the promise of equal rights all over the world. Starting the same day, AAPD's anti-bullying public service announcement appeared on the Jumbotron at Indianapolis Speedway, where it was shown to 1.4 million people during the Brickyard 400 NASCAR race. I'm so grateful that NASCAR recognized how important it is to share our community's voice with so many people. The Interfaith Disability Advocacy Coalition gained new members, touching more lives in communities of faith across our country.

Wherever we are—be it a NASCAR race, a Florida hotel, the United Nations, a house of worship, or on Capitol Hill, we do work that makes me immensely proud.

-- Mark, AAPD President and CEO

## Supreme Court Upholds the Affordable Care Act—A Victory for all Americans

In June, the Supreme Court of the United States ruled that the Affordable Care Act (ACA) is a constitutional exercise of Congress's power. Because the ACA contains several provisions that benefit people with disabilities, this was a significant victory for our community.

ACA provisions that benefit people with disabilities include: eliminating insurance discrimination based on medical history, providing more affordable choices including state-based insurance exchanges and tax credits, increased coverage for home and community-based services, eliminating lifetime benefit limits, expanding the Medicaid program to cover many



more people with disabilities, and collection of data on people with disabilities.

AAPD joined an amicus brief submitted by several disability rights and health groups in support of the law. The brief argued that Congress has the power to require individuals to purchase health insurance (the individual mandate), because the mandate is necessary to implement the requirements in the law that insurance companies may not discriminate against persons with preexisting medical conditions. It is generally agreed that it is constitutional for Congress to prohibit this discriminations.

*continued on page 6*

Continued from page 2

## Justice for All Awards Mark the ADA's 22nd Anniversary

supported programs that help veterans transition from active service to civilian employment. Through bipartisan efforts, Congressman LoBiondo and AAPD will keep working to ensure that every wounded warrior's sacrifice is repaid.

Political participation is a core purpose of the ADA, and the right to vote is central to it. That is why AAPD advocates for voter access. Congressman Jim Clyburn, who has represented South Carolina in the House since 1993, received the Justice for All Award for his tireless and consistent work to protect voting rights for people with disabilities and for all Americans. As a new member of Congress in 1993, Representative Clyburn co-sponsored the National Voter Registration Act, which, among other things, aimed to increase the low registration rates of people with disabilities by requiring state-funded programs engaged in providing services to people with disabilities to also provide voter registration forms, assistance completing the forms, and transmission of completed forms to the proper state officials. In the past year, dozens of states have considered legislation that could disenfranchise millions of people with disabilities by requiring photo ID or limiting access to voter registration. Rep. Clyburn has been an outspoken opponent of efforts to disenfranchise Americans and is working tirelessly to protect our right to vote. AAPD is proud to work alongside Rep. Clyburn to promote this legislation. Our work together spans many years. With his leadership, AAPD and our allies will continue the fight to protect every American's right to vote.

AAPD knows that people all across America are spearheading the great work that will move this country forward. Congress is rarely on the leading edge of change—change happens in states, in towns, in schools, in communities and Washington follows. We work closely with talented leaders all over the country who are moving mountains for equality. Gary Arnold, a longtime disability



Mark Perriello and Mark Pinsky

advocate, and recipient of the Justice for All Grassroots Award, is a model of excellent advocacy for our community and beyond. Gary is the President of Little People of America, a majority volunteer non-profit organization dedicated to improving the quality of life of people with dwarfism and to bring awareness and solutions to global problems that affect individuals and

their families. In addition to this role, Gary is the Public Relations Coordinator for Access Living, a Chicago-based non-profit independent living center for people with disabilities. In 2011, Gary and LPA partnered with AAPD to defeat a Florida bill to legalize the brutal and dangerous practice of “dwarf tossing,” which means throwing little people for others’ amusement. AAPD’s and LPA’s letters, alerts, and petitions raised awareness of this terrible legislation, which was ultimately withdrawn.

Forty percent of Americans report that they attend religious services at least once per week. AAPD’s Interfaith Project Director, Ginny Thornburgh, connects AAPD with communities of all faiths and promotes accessible, welcoming faith communities. This work included envisioning and helping to develop a book that would tell stories of faith and disability in a way that had never been done before. To realize that vision, Ginny sought out Mark Pinsky, a noted journalist, author, religion writer, and winner of a 2012 Justice for All Award, *Amazing Gifts: Stories of Faith, Disability and Inclusion*. *Amazing Gifts* tells sixty-four stories of real people of faith who either have disabilities or are close to a person with a disability. The stories emphasize the importance of inclusion, and efforts most congregations can utilize to accomplish it. By seeking and sharing these stories, Pinsky educates, inspires, and connects people of all faiths and disabilities. His stories demonstrate the role of faith in our lives and of people with disabilities in faith communities.

Employment means opportunity, *continued on page 5*

# Fighting Back!

## AAPD Supports Accessible Swimming Pools



Mark Perriello



American Hotel & Lodging Association Headquarters

Two years ago, the Department of Justice issued new Standards for Accessible Design for compliance with the Americans with Disabilities Act (ADA). The September 2010 guidelines required swimming pool owners to provide access to their pools by means of permanent pool lifts if it was “readily achievable” to do so. The lifts had to be installed by March 15, 2012.

The Justice Department said that if hotels could not implement permanent pool lifts because of financial or architectural considerations, they could develop feasible implementation plans for themselves that would serve as “evidence of a good faith effort to comply with the ADA’s barrier removal requirements.” In other words, hotels could plan to install permanent pool lifts using a timeframe that best suited their own needs—as long as they did it.

Two years later, the vast majority of hotels have failed to act, and the deadline to comply was pushed forward to May 15, 2012, and then again to January 31, 2013.

Why the setback?

Throughout this year, the American Hotel & Lodging Association (AH&LA) and the Asian American Hotel Owners Association (AAHOA) has led an extensive lobbying campaign to block our access to swimming pools. Among their claims, the

group has said that:

- Installing pool lifts would be too expensive;
- Permanent pool lifts are unsafe for other guests and their children;
- People with disabilities do not go to hotels.

In comments to the DOJ, some hotel owners even claimed that people with disabilities would make pools unsanitary. Others said that people who use a wheelchair can’t swim anyway. Some went as far as to say that people with disabilities just have to accept that there are things we cannot do.

The hotel lobby is using scare tactics to make small businesses worry that this rule will put them out of business. In fact, the ADA strikes a balance by requiring lifts only when installing them is “readily achievable,” which means “easily done, without much expense.” The lobbyists know that this is the case, but they are playing upon people’s concerns for small businesses in this weak economy. Meanwhile, the big hotel chains are doing quite well. The three largest hotel groups in the world, whose chains include the Holiday Inn, Days Inn, Ritz-Carlton, and Marriott, have a combined net profit of over \$1 billion.

The disability community has come together to

*continued on page 5*

Continued from page 4

## AAPD Supports Accessible Swimming Pools

protect the ADA and fight for equal access.

On June 14, AAPD, along with ADAPT, the National Council on Independent Living, and the National Disability Rights Network, held an “All-Access Pool Party” in front of the AH&LA headquarters in DC. The rally was an enormous success. Hundreds of people—many in wheelchairs—chanted for equal access and fought for justice. The weather was perfect and our message was clear.

After that, the AH&LA suggested we settle for temporary pool lifts, so hotels can avoid the “aesthetic disturbance” of permanent ones and save some money. So on July 18, our coalition



launched a boycott against hotels owned by AH&LA across the country. From this day forward, we will not give our business to hotels that lack permanent pool lifts.

Here’s how we can keep the pressure on:

The next time you book a hotel, ask them whether they have a pool and if so, whether it has a permanent or

fixed pool lift? Post the hotel’s name and address, along with the answer, on our pools campaign Facebook page—True Hospitality. More importantly-- if there’s no lift, take your business elsewhere.

-- Joshua Benjamin, External Affairs Intern

Continued from page 3

## Justice for All Awards Mark the ADA’s 22nd Anniversary

and access to employment is at the core of AAPD’s work. It is unacceptable that seventy percent of Americans with disabilities are unemployed. America’s employers can increase employment for people with disabilities, and AAPD is proud to work with companies who are the gold standard, including 2012 Justice for All Corporate Award winner Highmark, a health and wellness company dedicated to ensuring that all people have access to affordable quality healthcare. AAPD honored Highmark for its commitment to hiring and supporting employees with disabilities, support for equal opportunity, and philanthropic and volunteer efforts. In 2011, Highmark employees volunteered over 82,000 hours across hundreds of non-profits including Paralyzed Veterans of America Wheelchair Games. Highmark employs over 100 people who self-identify as a person with a disability in the areas of healthcare informatics, accounting,

customer service, and information technology. To support these employees, Highmark has a centralized accommodation budget to assist with effective workplace integration for employees with disabilities. Highmark submitted comments in support of the proposed rule to implement § 503 of the Rehabilitation Act of 1973. The rule, which requires federal contractors to promote employment opportunity for people with disabilities, could have as great an impact as the ADA. AAPD and Highmark will continue to work together to promote employment opportunity.

We congratulate and thank Congressman LoBiondo, Congressman Clyburn, Mark Pinsky, Gary Arnold, and Highmark for their contributions to our shared mission.

-- Lara Schwartz, VP External Affairs

Continued from Page 1

## The Affordable Care Act

If insurance was always available to persons who became sick, but there was no mandate, people could wait until they were sick to buy insurance. This would mean that insurance pools would lack premiums from healthy people, making the pools financially unviable.

AAPD and our allied groups argued that because the individual mandate is necessary to achieve a goal that is clearly within Congress's power to regulate commerce, it is constitutional under the Commerce Clause. The Court by a 5-4 vote rejected this argument and ruled that the individual mandate was not a constitutional exercise of Congress' power to regulate interstate commerce. However, the Court went on to rule that mandate

was a constitutional exercise of Congress' power to tax, because the penalty for people who did not purchase insurance was additional income tax payments.

Although the Court upheld most of the ACA, it struck down a penalty for states that do not expand Medicaid up to 133% of the Federal Poverty Level. This expansion is now a voluntary option for states to expand their programs.

-- Sarah Hillware, External Affairs Intern



**A Victory  
For All Americans**

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## News from AAPD Partner the Rehabilitation Research and Training Center on Disability (StatsRRTC)

The Annual Disability Statistics Compendium recently won the 2012 NARRTC Knowledge Translation Activity Award in recognition of its contribution toward developing knowledge translation research and practice for the benefit of the disability community. The Annual Disability Statistics Compendium is a publication of StatsRRTC, containing statistics on people with disabilities and government programs that serve individuals with disabilities. Each year, the Compendium is made to compile, sort, organize, and present disability related statistics



published over the year, all in one easy to access, user-friendly publication. New statistics are added each year as new data sources and publications become available.

For more information visit [www.DisabilityCompendium.org](http://www.DisabilityCompendium.org). The

StatsRRTC is a collaborative effort of the IOD, Hunter College, and the American Association of People with Disabilities.

-- Julie Arostegai, Policy Advisor

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The State-of-the-Science Conference under the Rehabilitation Research and Training Center on Disability Statistics and Demographics (StatsRRTC) is hosted to bring together scientists, administrators, and staff from disability programs, and leaders from disability policy and advocacy communities, to discuss the state of disability statistics and how to move the field forward.

The conference was held April 23, 2012 at the Hyatt Regency Hotel in Bethesda, MD. For more information and to view the presentations, see <http://www.researchondisability.org/statsrrtc/events/sos-conference>.

# AAPD Summer Interns

## Tomorrow's leaders make impact today

During the last week of May, the 2012 AAPD Summer Internship Program kicked into high gear when 29 students with disabilities from all across the country arrived in Washington, DC. The interns came from diverse backgrounds but had one thing in common: the ambition to show employers that people with disabilities are an indispensable part of our workforce. The internship program, sponsored by Walmart and the Mitsubishi Electric America Foundation, provides them an opportunity to do just that.

### Here's what three 2012 interns had to say about their experiences this summer:

"My name is Frances and I am a person with a disability. I am proud to be a member of such a diverse and wonderful group of people.

It has been quite a journey for me to both recognize and embrace my disability identity. I have an invisible disability. Before college, disability was not something that was often discussed. I had no community of individuals who understood my disability, beyond my own family. I never knew that I could identify as a person with a disability and I had a community to identify with even if I did.

The people I have learned the very most from this week are my fellow interns. As I get to know each one of them, I see how many gifts and how much spirit they bring to the world. I see their humor, their kindness, their growing confidence, their honesty, and their strength. It makes me wonder how anyone can see disability as something inherently negative or as something lacking. People with disabilities bring greater diversity and new perspectives to the world and that is beautiful."

- Frances Vhay, 2012 Intern, Office of Personnel Management



AAPD Internship Class of 2012

"It has only been one week since I've started at United Spinal, but I already know that my summer here will be a 100% life-changing experience. This is my first full-time internship and I definitely had semi-low expectations going into it. We all know the plight of the lowly intern and their never-ending piles of papers to be stapled or coffees to be made--I

figured that, although it would be an entry-point into the field of public policy and human rights advocacy, my experience would be the same. Well, it isn't.

At United Spinal, I'm doing substantive work--from researching the Convention on the Rights of Persons with Disabilities, to being a fly-on-the-wall in collaborative meetings with other DC policy/advocacy groups, I'm really getting a firsthand look into what the field is all about and how real change is made at the legislative level. And even though I've only been working here a week, I'm confident that I'll be learning more than I ever could have about the issues that matter this summer: the rights of the disability community and how the political process ensures that we, as America's largest minority, are given equal status as US citizens."

- Elizabeth Heideman, 2012 Intern, United Spinal Association

*continued on page 8*

Continued From Page 1

## Q&A with Congresswomen McMorris-Rodgers

and IDEA enacted. As I look ahead, I see opportunities to build upon the concepts of those historic pieces of legislation in order to improve the employment rate of those with disabilities.

**AAPD: What advice would you give students and recent graduates with disabilities about making a transition into the work force?**

**CMR:** My advice would be to find those people in the advocacy community who are the most knowledgeable in the area of transition and use that knowledge as a first step in moving this issue forward.

**AAPD: You founded the House Disability Caucus. Can you tell us something about its mission and the work that you see ahead?**

**CMR:** Actually, Rep. Langevin started the House Disability Caucus in 2001. Mr. Langevin and I have been working together to educate Members of Congress and staff in regard to a variety of issues that are of concern to people with disabilities; including Medicaid and employment, to name two.

**AAPD: You are a strong supporter of equal opportunity for people with disabilities. What do you think is the biggest reason why hiring qualified people with disabilities is good for business?**



**CMR:** Hiring people who are properly trained and who have a good work ethic is what businesses do in America. Having a disability does not change that. Unfortunately, many businesses are concerned about hiring those with disability because of concerns over compliance and liability. The last thing that job creators need is more rules. I see this as a crucial place to change the dialog to one of opportunity from one of compliance. People with disability would have the opportunity to have meaningful employment and employers would have the opportunity to have employees who really want to work and who have been shown to make up a reliable workforce.

**AAPD: Education is the key to future success. Many students with disabilities become discouraged at school because of bullying or being left out of activities. What would you say to those students who are struggling to fulfill their potential, and to their fellow students who are making school a tough place for them to learn?**

**CMR:** All of us have felt left out or bullied at some time in our life. Bullying is one of those things that are lessened by people on the ground making a difference by standing up against it.

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Continued From Page 8

## AAPD Summer Interns

It was just my second week, but I already have to act as an experienced member of the team. I am given tasks and expected to be able to handle them on my own, having earned the respect of those in my office. This is a huge pride point for me, as "The Hill" is a very high-stress environment, and can be a lot for a person to handle. Not only am I being given important tasks, but I was asked to help train our newest intern, which made me think I must be doing something right. Every day, I am called upon to complete important tasks. Without getting too detailed, I have had to communicate with several very important people and offices. At first, these tasks made me very nervous, however now I feel completely comfortable speaking with nearly anyone."

- *Paul Heddings, 2012 Intern, Rep. Jim Sensenbrenner*

# Spotlight on Transportation Equity

On February 23, 2012 AAPD and the Leadership Conference Education Fund held briefings on the Hill regarding transportation equity for people with disabilities. Attendees included advocates from the disability community as well as the broader civil rights community, plus several Congressional staffers. Panelists included Marilyn Golden of the Disability Rights Education Defense Fund (DREDF), Jim Weisman of United Spinal, and Billy Altom of the Association of Programs for Independent Living (APRIL); moderated by Kelly Buckland of the National Council for Independent Living (NCIL). The aim of the briefings was to educate the broader community on transportation issues for people with disabilities and to forge new links among disability advocates and other groups.

As a follow-up to the briefings, AAPD and the Leadership Conference published a report entitled *Transportation Equity for People with Disabilities*. Independent living and full participation in the community are fundamental aspects of full equality for people with disabilities. Because of inadequate access to transportation, 560,000 Americans with disabilities never leave their homes. It is clear that our transportation system is leaving people with disabilities behind. The report examines some of the issues including:

- Many public transit systems— particularly older rail and bus systems, as well as Amtrak--are still inaccessible to people with disabilities

- Paratransit services required by the ADA are plagued by poor oversight, high costs to transit agencies, and woefully inadequate service.
- Taxi services continue to be out of reach for people who use wheelchairs, both due to discrimination by drivers and because of inaccessible taxis.
- Enforcement of ADA compliance remains spotty

Significant access problems remain for people living in rural communities.

The report also makes recommendations regarding funding coordination of programs including livability provisions to make streets accessible, and ADA enforcement.

All modes of transportation should be accessible to all people all of the time. Systems designed to meet the needs of people with disabilities will meet the needs of everyone. Equal access to transportation means access to jobs, education, community activities, health care, and it is a civil right.

To view the report, see <http://www.aapd.com/resources/publications/>.

-- Julie Arostegai, Policy Advisor



The Leadership Conference



**AAPD "30 Seconds" PSA shown to 1.4 million NASCAR fans at the Brickyard 400 race.**

**22 Years of the ADA!**



**AAPD**

The American Association of People with Disabilities

In 1990, 22 years ago, the landmark Americans with Disabilities Act was passed and signed into law beginning the formal and legal process of creating equal access for all Americans. By no means are we done fighting for our rights, but we've come a long way since the ADA and we're committed to keep fighting for 22 more years or however long it takes until we have full and equal access.

**Join us in celebrating 22 years of the ADA by donating \$22.00 today!**



*Ann Cody*

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