

UNITED SPINAL^{NOW}

Happy 32nd Anniversary, But...

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July 26 is the 32nd anniversary of the passage of the Americans with Disabilities Act (ADA) – the 32nd time we celebrate the disability community’s Emancipation Proclamation.

I had the privilege of participating in the drafting and legislative advocacy that resulted in this great awakening – that reasonable accommodation is socially appropriate and equitably required when people with disabilities need it.

The philosophy compelling the ADA’s passage 32 years ago, I suppose, was, “Everyone who can work, should,” and the left and the right agreed, regardless of political party, or even motivation. The most mean-spirited legislator would agree that people with disabilities should work rather than collect benefits, and the most perceptive Congresspeople and staff could see the potential for productivity, accomplishment and integration that had always been ignored by most Americans and their government.

Of course, we celebrate every year on July 26, the date Pres. George H.W. Bush signed the ADA into law in 1990, just like we do on July 4, the date that American patriots declared their independence in 1776. This year, on July 4, it will be hard to ignore internal threats to the independence and democratic principles for which our founders risked their lives.

As we celebrate our liberties, there is a creeping awareness among the public of a new fragility – that rights come with responsibilities. One of those responsibilities is the responsibility to speak up when rights are threatened.

So, 32 years after I sat with hundreds of others on the White House lawn, what did we all envision that day for July 26, 2022?

I, for one, thought “key station access” would become “all station access” on fixed-rail systems long ago. I believed Patty Hearst was innocent and wouldn’t go to jail; that Donald Trump would never really run for president; and that the designated hitter rule wouldn’t last. So, I suppose my predictions are predictably wrong, most of the time, but consider this:

a) Housing was not included in the ADA, because it was addressed in the Fair Housing Act Amendments of 1988. Single-family housing, including new single-family housing, is just about as inaccessible as it was 32 years ago, and affordable, accessible multi-family housing is impossible to find. I would have predicted this would be better;

b) Airline access was not included in the ADA, because the Air Carrier Access Act had already passed. Is there a less accessible mode of transportation than airplanes, 32 years after the passage of the ADA? I would have predicted this would be better;

c) While a great many more people with disabilities are living in the community rather than institutions, the percentage of those employed is about the same as 32 years ago. I definitely would have predicted this would be better;

d) A government benefits system has not kept up with the social and vocational gains and opportunities that the Americans with Disabilities Act prompted;

1. Personal care attendant services are hard to get and hard to access if you’re employed, even though employment was ADA’s goal;

2. Medicare imposes the “in the home” rule and does not cover mobility equipment for use in the community;

3. 43 years after Eastern Paralyzed Veterans Association (United Spinal’s former name) sued MTA for bus and subway access, MTA has yet to publicly commit to full station access. (We get closer everyday, as transit managers and board members realize, generations too late, that transit needs to be accessible to stay relevant and necessary, and that the paratransit alternative is an expensive nightmare, just like we told them it would be, four decades ago.);

We all can make a list of things to be done as we celebrate. The ADA definitely changed things for the better, but the rights people with disabilities obtained need to be expanded, and the responsibilities that come with rights need to be met.

United Spinal Association joins the disability community in saying, happy 32nd anniversary, ADA. Speak up, speak out and vote. Those are our responsibilities.

