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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, whose approval we seek above the hollow applause of humanity, may the deliberations of this historic Chamber start and end with You. Provide the foundation for the thoughts, words, and actions of our Senators, as they remember that You are the author and finisher of their faith. Make our lawmakers conscious of the great tradition on which they stand, as You fill them with the spirit of wisdom, understanding, knowledge, and reverence. May the tyranny of partisanship and expediency never bend their consciences to low aims which betray high principles.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 22, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, following leader remarks, if any, the Senate will proceed to S. Res. 591, which is a resolution recognizing and honoring the 20th anniversary of the enactment of the Americans with Disabilities Act. There will be 2 hours for debate. It will be divided equally between Senators HARKIN and ENZI or their designees. Upon the use or yielding back of that time, the Senate will proceed to the consideration of H.J. Res. 83, which is a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act. There will then be up to 20 minutes for debate equally divided between Senators BAUCUS and MCCONNELL or their designees.

Upon the use or yielding back of that time, the Senate will proceed to vote on the resolutions. The first vote will be on the Burma joint resolution, and the next vote will be on the Americans with disabilities resolution. We hope these votes will begin at around 12 o'clock today, maybe a little sooner.

Following the votes, the Senate will resume consideration of the small business jobs bill. As a reminder, last night I filed three cloture motions relative to the small business jobs bill. I hope we can reach an agreement to have these votes today. If no agreement is

reached, we would have the first cloture vote tomorrow morning.

Senators will be notified when any additional votes, other than those I have mentioned, will be brought up.

MEASURE PLACED ON THE CALENDAR—S. 3628

Mr. REID. Madam President, S. 3628 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the title of the bill for the second time.

The assistant legislative clerk read as follows:

A bill (S. 3628) to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections, and for other purposes.

Mr. REID. Madam President, I object to any further proceeding with respect to this bill.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

Mr. REID. Madam President, will the Chair now announce the business for the day.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

20TH ANNIVERSARY OF ENACTMENT OF THE AMERICANS WITH DISABILITIES ACT OF 1990

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now proceed to the consideration of S. Res. 591, which the clerk will report.

The assistant legislative clerk read as follows:

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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S6131

A resolution (S. Res. 591) recognizing and honoring the 20th anniversary of the enactment of the Americans with Disabilities Act of 1990.

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 2 hours of debate, with the time equally divided and controlled between the Senator from Iowa, Mr. HARKIN, and the Senator from Wyoming, Mr. ENZI, or their designees.

Mr. REID. Madam President, I suggest the absence of a quorum and ask unanimous consent that the time be equally charged against both sides.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

SMALL BUSINESS LENDING FUND ACT

Mr. MCCONNELL. Madam President, Republicans today will continue to look for a way forward on the small business bill. This is an opportunity to deliver some real relief to small businesses struggling to dig themselves out of the recession.

Ultimately, Democrats seem to have other priorities. In the middle of a debt crisis, Democrats cannot seem to pass trillion-dollar spending bills fast enough. In the middle of a jobs crisis, they continue to push one bill after another containing job-stifling taxes, new rules and regulations, and government intrusion into business.

Their signature piece of jobs legislation appears to be a bill that borrows \$34 billion from our grandchildren to help folks who cannot find a job in the environment Democrats have created over the last year and a half.

This small business bill gives us an opportunity to have a real jobs debate. But Democrats clearly do not want to have that debate. That is why they have repeatedly pulled this bill from the floor to move on to what they consider more important things or to get together downtown to pat themselves on the back after signing another job-killing bill.

Let's have a real debate about jobs. Let's consider amendments that would help small businesses—amendments like the one Senator JOHANNIS wants to offer to eliminate a burdensome paperwork mandate and that small businesses are pleading with us to approve.

Our leader on the Small Business Committee, Senator SNOWE, is fighting to keep a provision out of this bill that amounts to another bailout. Members of both sides oppose it.

There is no evidence this new lending program will work. Even the Congress-

sional Oversight Panel has expressed skepticism it will even be effective in increasing small business lending. The panel's report is skeptical it will improve access to credit. Moreover, the panel says this provision looks uncomfortably similar to the TARP bailout.

The problem banks and small businesses are facing is not that they don't have incentive to lend; it is that the government is threatening them with a 2,300-page bill full of new rules and regulations while their customers—small businesses—are threatened by pending tax hikes and more government intrusion.

For more than a year and a half, the President and his Democratic allies on Capitol Hill have pushed an antibusiness, antijobs agenda on the American people in the form of one massive government intrusion after another. Then there is a celebration. Here is an opportunity to have a real debate about job creation. Here is an opportunity to do something that might actually make a positive difference.

Small business owners are already being hammered by the health care bill. They are about to get hammered by the financial regulatory bill. It is time to do something they actually want for a change.

The American people are connecting the dots. They don't think the financial regulatory bill will solve the problems in the financial sector any more than they think the health care bill will be able to lower costs or lead to better care; any more than the stimulus lowered unemployment.

Republicans had offered amendments that would create the conditions for real private sector job growth. If Democrats shared this priority, this bill would have been law by now. Instead, they seem committed to the same approach that has led to 3 million lost jobs in the past year and a half.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Mr. HARKIN. Madam President, I have come to the floor today—and we have a couple hours now—to introduce a Senate resolution which is now at the desk recognizing and celebrating the 20th anniversary of the Americans With Disabilities Act. Twenty years ago, the ADA was a great bipartisan legislative initiative. I am pleased this resolution also enjoys broad bipartisan support. I am grateful to all those who have cosponsored this resolution, including my chief cosponsor, Senator HATCH, and 31 other Senators.

Other Senators who are watching and would like to be added as cosponsors, I ask them to please call their respective cloakrooms and we will add their names to the list. Right now, I think we are at 22 or 23.

The Americans With Disabilities Act—signed into law on January 26, 1990—has been described as the Emancipation Proclamation for people with disabilities. The ADA set four goals for people with disabilities: Equal oppor-

tunity, full participation, independent living, and economic self-sufficiency. But as the chief Senate sponsor of the ADA, I can tell my colleagues that at its heart, the ADA is very simple. In the words of one disability rights advocate, this landmark law is about securing for people with disabilities the most fundamental of rights: "The right to live in the world." It is about ensuring that people with disabilities can go places and do things that other Americans take for granted.

I will always remember a young woman by the name of Danette Crawford from Des Moines, IA. In 1990, she was just 14 years old. She used a wheelchair. She lived with constant great pain, but she worked and campaigned hard for passage of the Americans With Disabilities Act. When I told her the ADA would mean better educational opportunities, prevent discrimination in the workplace, better mobility—I was going through all these things the ADA would do—Danette said to me:

Those things are very important. But, you know, what I really want to do is just be able to go out and buy a pair of shoes like anybody else.

Well, two decades later, people with disabilities can do that and so much more.

Our society is so dynamic and changes so rapidly that we are often oblivious to quiet revolutions taking place in our midst. One such revolution has been unfolding for the last 20 years since the signing of the Americans With Disabilities Act. How soon we forget that, prior to ADA, Americans with disabilities routinely faced prejudice, discrimination, and exclusion, not to mention the physical barriers to movement and access in their everyday lives. In hearings prior to passing the law in 1990, we heard heartbreaking testimony about the obstacles and the discrimination that people with disabilities encountered every day of their lives. We heard stories of Americans who had to crawl on their hands and knees to go up a flight of stairs or to gain access to their local swimming pool, who couldn't ride on a bus because there was no lift, who couldn't go to a concert or a ball game with their families because there was no accessible seating, who couldn't even cross the street in a wheelchair because there were no curb cuts. In short, we heard thousands of stories about people who were denied "the right to live in the world."

The reach and the triumph of the ADA revolution is all around us. It has become a part of America. Today, streets, buildings—think about this—every building designed and built in America since the passage of the ADA is fully accessible—every building. Sports arenas. I just went to a sports arena the other day for a ball game and everything is accessible. There is seating for people, where they can sit with their families—not segregated out someplace, but they can sit with their

families. The same is true in movie theaters. Transportation systems: Every bus delivered in America today is fully accessible. It has a lift—every single bus. All our Metro systems today are fully accessible. But that is not all. Information is offered in alternative formats so it is usable by individuals with visual or hearing impairments. New communications and information technologies that are accessible to people with disabilities continue to be developed. It is hard to imagine we lived in a time without closed captioning on television. Think about it. I will talk more about my brother Frank, who is deaf and who never could understand what was on TV until we got closed captioning. That is what I mean. New technologies, new ways of doing things are now making life so much better. Thanks to the employment provisions in the ADA, many individuals with disabilities can get reasonable accommodations so they can do a job, they can get assistive technology, accessible work environments or more flexible work schedules.

But the ADA is more than accessible buildings and books that speak and traffic lights that talk to you. It is also hundreds of stories of opportunities and hope.

These changes are all around us. They are so integrated into our daily lives that sometimes it is hard to remember how the world was before.

Just as important, we have seen a big change in attitudes—attitudes—toward people with disabilities. Our expectation is we will do what it takes to give individuals with disabilities not just physical access but equal opportunity in our schools, in our workplaces, and in all areas of our economy and our society. The attitudes are so different today. A lot of it has to do also with the Individuals With Disabilities Education Act which preceded the ADA because now kids go to school with kids with disabilities. Kids grow up with kids with disabilities, so it is no big deal if they work alongside them later on. So the whole attitude has changed on how we deal in our society with people with disabilities. Perhaps that may be one of the biggest changes of all.

It is important for us to remember also—with all the political firefights that go on around here and the partisan bickering that goes on around here all the time that we bemoan—it is important to remember the passage of the ADA was a bipartisan effort and a bipartisan victory. Here in the Senate, I worked shoulder to shoulder with Senator Bob Dole and others from both sides of the aisle. We had invaluable assistance from Senator Kennedy, Senator HATCH, who will be speaking shortly, Senator MCCAIN, and others, including leaders who are no longer in this body, people such as Dave Durenberger and Lowell Weicker. The final Senate vote on the ADA conference report was 91 yeas and only 6 nays.

I just mentioned Senators HATCH and MCCAIN. I also wish, at this point, to

mention the other Senators currently serving who voted for the ADA conference report on July 13 of 1990. They are Senators AKAKA, BAUCUS, BINGAMAN, COCHRAN, CONRAD, DODD, GRASSLEY, INOUE, KERRY, KOHL, LAUTENBERG, LEAHY, LEVIN, LIEBERMAN, LUGAR, MCCONNELL, MIKULSKI, SPENCER, and REID. That is truly, I believe, a roll of honor.

As I said, one of those who helped manage the bill when we put it through back in 1990 and who has always been there helping to make sure we did this in a bipartisan fashion, get the bill through, and get it signed is Senator ORRIN HATCH. Later, we worked together on the ADA Act amendments that we just passed 3 years ago and that President Bush signed just 3 years ago. I couldn't ask for a better friend personally, but people with disabilities couldn't ask for a better friend either than the distinguished Senator from Utah, Mr. ORRIN HATCH.

I yield the floor at this time to Senator HATCH.

The ACTING PRESIDENT pro tempore. The Senator from Utah.

Mr. HATCH. Madam President, I thank my dear colleague for his kind remarks. I remember those days we spent on this floor, and the days before that, when we had to convince people throughout the Congress that this was the right thing to do; that civil rights for persons with disabilities were absolutely necessary if we were going to be a gracious and understanding country, setting an example for all the rest of the world.

I remember when Senator HARKIN and I, after the vote, walked out into the anteroom out there, and there were hundreds of persons with disabilities in their wheelchairs and crutches, with various forms of disability, and both of us stood there and broke down and cried—two tough guys. You know that Senator HARKIN was a pilot and went through the war and has a tremendous reputation. I have been tough—too tough for some people around here—from time to time. But we both broke down and cried. And they cried. It was such a wonderful day, as far as I am concerned.

I thank my dear colleague from Iowa for his leadership in this matter. He mentioned all of the others we both want to recognize today. I will not repeat those. I will incorporate that in my remarks today.

This is a very special anniversary. Twenty years ago last week, we stood on the floor of the Senate and voted 91 to 6 to pass the Americans with Disabilities Act. Twenty years ago next Monday, President George H.W. Bush signed it into law.

The ADA is landmark civil rights legislation that represents our ongoing commitment to equality and opportunity for our fellow citizens who suffer with disabilities. The ADA is a special type of civil rights statute. On the negative side, it prohibits discrimination and provides for remedies when

wrongs occur. But more important, on the positive side, the ADA requires reasonable accommodation for individuals with disabilities in the areas covered by the statute, such as employment. This accommodation obligation is what quite literally opens doors and keeps them open, improving lives in innumerable practical ways on a daily basis.

The original ADA in 1990 and the revision enacted 2 years ago are examples of both how hard legislating can be and the results sticking with it can produce. I know of few policy areas in which—on the surface, at least—political or ideological interests appear to be more at odds. I also know of few policy areas in which the objectives are more important and for which a deep and broad consensus is more crucial to achieve those objectives. Keeping our eyes on the goal helped keep everybody willing to listen, to compromise, and to do what had never been done before. The result has been a transformation in attitudes, perceptions, and actions throughout our society that have helped make countless lives better.

These two statutes, ADA and the ADA Amendments Act, also demonstrate that it is Congress that is responsible for national disability policy. Lawsuits, of course, bring the courts into the picture, and the Supreme Court was called upon to construe and apply the ADA on some questions the ADA itself did not clearly or directly address. I, for one, believe the courts must take statutes as they are and may not make or change them in order to achieve certain results. But whether or not the Court did its part properly, the Constitution gives the power to legislate to Congress. That is why, even if the Court had not had any such cases at all, we have the authority and the ongoing responsibility to establish, revise, and refine laws that help Americans with disabilities. That responsibility will never end.

I am pleased with my role in developing and passing both the ADA and the ADA Amendments Act. I am pleased to have been able to partner with my friend Senator HARKIN from Iowa. I am proud to stand here today with that friend, Senator HARKIN, without whom these statutes would not have been possible. I know these are more than simply statutes, more than pieces of legislation; it is what they represent—our ongoing commitment to making sure individuals with disabilities can participate in the American dream—that makes these statutes so important and this anniversary so very special.

I have seen those who are blind now taken care of, in many cases. I have seen those with various disabilities who are able to get jobs and show they are capable—not only capable but better than capable—of doing some things people never thought they could do. I have seen persons with serious disabilities who have become productive members of our society because they

have been given a chance. I have seen persons of courage in this area that I have never seen before, who literally live with their disabilities every day with smiles on their face, with an ability to be able to encourage others, and with an exemplary approach to life that makes all of us better people. I think these things have been magnified and blessed by these two acts that my colleague and I and others have been able to put through. I am proud of what we have done. I believe millions of people are better off because of what we have done.

This is a very appropriate thing to do—to recognize the Americans with Disabilities Act, and the other statute as well, so that everybody in this country realizes they are part of making these statutes work. I am so pleased with all of our American citizens who have pitched in and done what they could, from architects, to engineers, to skilled tradesmen, as I used to be, who have really made it possible for people to not only embrace life but to be a part of life and to be able to have the accessibility they never had before, and we are a better nation for it. Our people are better for it. Above all, these folks who have suffered with disabilities, who are so courageous, are better for it.

I will never forget, I mentioned when we passed the original ADA that I carried my brother-in-law, who was afflicted with both types of polio and, of course, lived in an iron lung but went on to get his college degree in engineering and a master's degree in electrical engineering—he worked for Edgerton, Germeshausen, and Grier in Las Vegas, went to work every day and at night got into an iron lung at home. He was a member of my Mormon faith, the Church of Jesus Christ of Latter-Day Saints, and I can remember carrying him, with his very light weight, through the Los Angeles Temple for church. It was meaningful to both him and me. I carried him in my arms all the way through that temple. It was a spiritual experience for both of us.

I have seen so many others who have suffered from disabilities whose lives have been improved and are better because of what has been done in the Congress of the United States. Again, I pay tribute to my friend Senator HARKIN. He understands this as well as anybody and has played a significant and perfect role in helping to bring these things to pass. I have nothing but respect and great love for my colleague and for the others who voted for this particular bill. I am glad to be able to support this resolution, to cosponsor it, and I hope and pray that all of us will continue to help those who may not be as fortunate as are we, who suffer from disabilities, and realize that they are just as productive in our society, in most ways, as we are.

I am grateful to be able to stand here today and make these comments.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Iowa is recognized.

Mr. HARKIN. Madam President, let me say to my friend, I was proud to stand with the Senator from Utah 20 years ago. We stood here together. We got the bill through. I remember so vividly, in my mind's eye, when we walked out to that anteroom. I mean, few people are blessed in their lifetimes to have that kind of a moment where something so meaningful was done and to see so many people whose lives before that were stunted because they didn't have the accessibility. Now to see this sort of wall come tumbling down—I remember our association so well.

I know my friend would agree this was not a slam dunk; it was not a very easy thing that we brought out on one day and it just happened. Senator HATCH and I worked on this for years. It took a long time to work out. But through the good faith of people on all sides with whom we worked—the disability rights community, all the different disability groups, and the chamber of commerce supported the bill—in the end, we worked together to bring everybody together. But it was a long process, as the Senator remembers.

Mr. HATCH. It was.

Mr. HARKIN. I say to my friend from Utah, I cherish those memories. I was honored to stand with him 20 years ago. I am honored to stand with him again today. I cherish the friendship we have developed over all those years. The Senator from Utah is a true friend, not only personally but also professionally, and he has always lent his weight and his seniority and his expertise in the Senate to making sure people with disabilities have that same equal opportunity and equal access. I think maybe both of us, because of our brothers who were disabled, were affected greatly. I think it imbued us both with a spirit of working hard to make sure people with disabilities had all the access and all the opportunities everybody else enjoyed. I thank my friend for his statement, and, more than that, I thank him for his great support of people with disabilities through all of his lifetime.

Mr. HATCH. Madam President, I thank the Senator for his kind remarks, but I also recognize his great leadership. This is a complex set of issues. We had complexities among the groups. We had to bring them all together and work with them. We had to try to resolve conflicts between liberals and conservatives, as usual. We also had to work very carefully with various personalities. But we were able to get it done. In large measure, it was due to the work of my friend from Iowa. I think people in the disability community and really throughout the country ought to be very grateful for what he has done. I am grateful to have been able to have played a small role in helping him to do it.

Mr. HARKIN. Madam President, it was not a small role; the Senator from

Utah played a gigantic role in making sure we got this done. Working to get the ADA Amendments Act passed 3 years ago—we worked on that for something like 4 years to get it done. We were down at the White House, and it is interesting that the first President Bush signed the first ADA into law and the second President Bush signed the ADA Amendments Act into law. That is an interesting juxtaposition—father and son.

I thank the Senator.

Mr. HATCH. I thank the Senator.

Mr. HARKIN. Madam President, I mentioned earlier all of the Members of the Senate who have been so helpful.

On the House side, we prevailed because of outstanding leadership of people such as Congressmen STENY HOYER, Tony Coelho, and Steve Bartlett, a Republican leader in the House at that time. The final vote was 377 to 27 in the House.

At the White House, Boyden Grey, counsel to President George H.W. Bush, worked with us every step of the way. As I have said so many times, without Boyden Grey being there, we could not have gotten this done. I am always grateful to him for his leadership, working from the White House with us.

One other person who was with us every step of the way and continues to provide so much leadership in the area of disability rights is then-Attorney General Dick Thornburgh.

What a champion he was and is. I should not put it in the past tense. Dick Thornburgh remains today one of the preeminent people in America who keeps focus on what we are doing in society to make sure that people with disabilities have full access and opportunity.

Then there is the disability rights community. This would not have happened without the tireless, courageous, and unstoppable work of so many activists in the disability community. I think of people such as Ed Roberts, now passed on, Bob Williams, Pat Wright, Wade Blank—so many others. Of course, everyone recognizes the indispensable leadership of the late Justin Dart who was the chairperson of the President's Committee on Employment of People with Disabilities. Only one person's name is specifically mentioned in the resolution on which we will be voting this morning, and that name is Justin Dart.

As I have said many times, I may have been the principal author of the ADA, but Justin Dart was the father of the ADA and history will recognize and honor his great contribution.

Here was an individual who used a wheelchair most of his life, who was unstoppable. Justin Dart traveled to every single State in this Nation more than once, well over 100 different cities and communities, to promote the Americans with Disabilities Act for about 2 or 3 years prior to us bringing it up, to get that kind of national support for it. He was everywhere, and he would never give up. We remember Justin Dart as the father of the ADA.

No listing of those who made the ADA possible would be complete without also talking about my disability counsel at the time, Bobby Silverstein. Again, he was tireless in his work in both the drafting and the revising. As Senator HATCH and I were reminiscing, there was not even agreement among disability groups on how to do this. We would come up with a draft. We would meet with disability groups. We would have to revise it. We would meet with other disability groups. We would have to revise it. We would meet with business groups. We would have to revise it, and on and on.

Slowly, methodically, tirelessly, we got it done, and Bobby Silverstein was there every step of the way, as I said, drafting, revising, making sure we did not lose sight of the goals, making sure we had a bill that could muster bipartisan support. No words of mine can express the deep gratitude I have to Bobby Silverstein for all he did to make this possible.

I will never forget the pre-ADA America. I remember how it used to be perfectly acceptable to treat people with disabilities as second-class citizens, exclude them and marginalize them.

I will digress a bit and talk about my brother Frank, who was the inspiration for all of my work on disabilities both in the House before I came to the Senate and in the Senate.

My brother Frank passed away 10 years ago, a month before the 10th anniversary of the ADA. He always said he was sorry the ADA was not there for him, but he was glad it is here now for the younger generation, for those who are now coming so they would have a better future.

My brother lost his hearing at a very early age. Actually, he was about 6 years old. At that time, there were no mainstream schools, so he was taken from his family. We lived in a small town. He was taken from the family and shipped halfway across the State to the Iowa School for the Deaf.

Think about how traumatic this would be. First of all, you lose your hearing. You cannot hear anything because of spinal meningitis. Then all of a sudden he is picked up, taken away from home, and sent to a school over by Omaha. Think how traumatic that is for a little kid.

In school—and I remember people always spoke about my brother being at the school for the deaf and dumb. Young people do not realize this, but it used to be very permissible, when I was the age of the pages, for people to speak about people who were deaf as deaf and dumb. Schools for the deaf were referred to as schools for the deaf and dumb.

I will never forget my brother coming home from school once—it was later on when he was in high school—and people were referring to that. They would actually ask him: How are things going at the school for the deaf and dumb?

My brother would say: I may be deaf but I am not dumb. He refused, he stubbornly refused—he was kind of a stubborn guy, my brother was—he stubbornly refused to accept the cloak that society put on him.

In school, he was told he could be one of three things. He could be a baker, a printer's assistant, or a shoe cobbler. He said he did not want to be any of those things. They said: OK, you are going to be a baker then. So they made him into a baker. That is not what he wanted to do, but that is what they said.

He kept fighting. He kept fighting against it. I remember once when I was younger—he was now out of school—he went to a store. I will never forget this. When the sales person found out he was deaf and could not hear, she looked right through him at me and asked me what he wanted. How do I know what he wants? Ask him. That is the way people were treated.

He went to get a driver's license. He was told deaf people do not drive. He broke that barrier down, too. He got a driver's license and bought a car.

I remember when my brother finally found employment at a plant called Delavan Corporation. I got to know Mr. Delavan later on when I was in high school and later on when I was in college. He went out of his way to hire people who were disabled. It was a manufacturing facility with a lot of noise. So he hired a lot of deaf people. They did not care if it was noisy.

My brother got a good job running a very delicate machine that drilled tiny little holes in engines for jet engine nozzles. It had to be finely made. Later on, when I was a Navy pilot, I found out the planes I was flying at the time were using the very nozzles made by my brother.

I came home one time for Christmas—my brother never got married. I was not married at the time—I came home for Christmas. Delavan always had a big Christmas dinner for all of the workers. I went with my brother to the Christmas dinner. Lo and behold, unbeknownst to either one of us, they honored him that night because he had worked there 10 years and in 10 years, he had not missed one day of work or late one day. They gave him a nice gold watch. It was very nice. In the 23 years my brother worked there, he missed 3 days of work because of a blizzard. He could not make it.

I tell that story for a couple of reasons. One, because I am very proud of my brother, but also because so many people I have talked with—employers who have employed people with disabilities—will tell you that the hardest workers, the most loyal workers, the most productive workers they have are many times people with disabilities. But they have to get over the hurdle of hiring them in the first place. With a little bit of support, some accessibility issues, maybe modifying the workplace a little bit, we can get a lot done and they can be the best workers.

I have one more story about my brother I have to relate, since I have the floor, and he was such an inspiration to me.

I was elected to the Senate in 1984. I was sworn in January 1985. No one in my family had ever been in politics. First of all, to be a Congressman is one thing, but to be a Senator—wow. My whole family came for the swearing in, and my brother Frank. I remember I put him in this gallery right behind me. This was January 1985. I put him up there, and I had gotten an interpreter, a sign language interpreter. I had gotten an interpreter for my brother for this gallery right back here. I got him seated up there, and I came back down on the floor. I looked up and I saw one of my other brothers—one of my hearing brothers—motioning to me. So I went back up there.

My brother John said the guard would not let the interpreter stand up there. I went out to see the guard, the doorkeeper. I said: My brother needs an interpreter. No, we cannot allow people to stand in the gallery and interpret.

I said: It can't be so.

Rules are rules.

I came down to the floor. At that time, Senator Bob Dole was the majority leader of the Senate. Senator Dole had a disability himself because of his war wounds and his maiden speech on the Senate floor when he was first elected was about disability rights. I go to the majority leader, the Republican leader. I did not know him that well. I said: Mr. Leader, here is the situation. My brother is up there. I am being sworn in. He needs an interpreter and they will not let the interpreter in.

Senator Dole said: I will take care of it. He did, and we got the interpreter.

Now we have places for people with disabilities to come and sit with their families. We have interpreters. We have closed captioning. No longer do we discriminate against people who are deaf or disabled and want to come into the Capitol.

So many changes have been made to the Capitol. We have a full office in the Capitol now just for people with disabilities to take tours of the Capitol. We have interpreters for people who are blind. We have bas relief models of all the floors so as they go through the main Rotunda, the Old Senate Chamber, the House Chamber, the old Supreme Court, they can feel with their hands what it looks like. It is all accessible now.

I talk about the things that happened to my brother. It sounds like something out of the medieval past. We are hopefully overcoming—I do not say we are complete—we are overcoming this false dichotomy between disabled and able. We recognize that people with disabilities, like everyone, have unique aptitudes, unique abilities, talents. And we know America is a better and a fairer and richer nation when we make full use of the gifts people have.

One of the things that ADA has done is it has infused in so many people the

idea that we should look at people not for their disabilities but what are they able to do, what are their abilities. Do not tell me what your disabilities are. What are your abilities? That is a major step forward.

The day the ADA passed I can honestly say was the proudest day of my legislative career. I also say to the occupant of the Chair, I stood at this podium at that time and gave my entire speech in sign language. Senator Bob Kerrey, a Senator from Nebraska, was the occupant of the chair at the time. He has never forgotten that. I guess maybe I haven't either. It was the first time anyone ever gave a long-winded speech on the Senate floor and no one ever heard him. Perhaps a lot of people wish we would do that more often.

It was a great day. I think every Senator who was there who voted yes can look back 20 years with enormous pride in this achievement. We were present at the creation, but it had a robust life of its own. It has been integrated into the very fabric of American life. It has changed lives and changed our Nation. It has made the American dream possible for tens of millions of people who used to be trapped—trapped—in a nightmare of prejudice and exclusion.

I am reluctant in many ways to detract from the joy that we all feel about what has happened over the last 20 years and how far we have come in our country. But I am obliged to point out, because of my close association with so many people in the disability community and so many different parts of the disability community, that the promise of the Americans with Disabilities Act is not quite complete.

When we passed the ADA we had four goals: equal opportunity, independent living, full participation, economic self-sufficiency. There is more work to be done to fulfill those goals. For example, every person with a disability deserves the right to live where he or she wants to live. You might say everybody has a right to live where they want to in America. But think about what I said earlier, people in the disability community want the right to live in the world.

Here is what I am referring to. For years a person with a disability who qualifies for care in a nursing home, can get that care in a nursing home fully refunded, fully paid for by the Government. If you have a disability and you qualify for that level of care and you go to a nursing home, Medicaid picks that up. But let's say you don't want to go to a nursing home. Let's say you are disabled and you want to live in a community. You want to live near your family and your friends and you choose to do so. Medicaid doesn't pick up that bill. If you live in a nursing home, they will, but not if you live independently, on your own. This is something we have been trying to overcome for a long time.

Finally, 10 years ago, there was a Supreme Court case. It came to the Supreme Court. It was called the

Olmstead case, a case out of Georgia. Listen to this. The Supreme Court held that people with disabilities have the right to live in the least restrictive environment and to make their own choice to receive their care in the community rather than in an institutional setting. In Olmstead, the Court held that the unnecessary institutionalization of individuals with disability constitutes discrimination under the ADA.

Listen to what the Court said. The Supreme Court said:

Recognizing that unjustified institutional isolation of persons with disabilities is a form of discrimination reflects two evident judgments. First, institutional placement of persons who can handle and benefit from community settings perpetuates unwarranted assumptions that persons so isolated are incapable or unworthy of participating in community life; secondly, confinement in an institution severely diminishes the everyday life activities of individuals, including family relations, social contacts, work options, economic independence, educational advancement and cultural enrichment.

Ten years ago the Supreme Court said that. I am obliged to stand here and say, 10 years later, we have not gotten there. Ten years ago the Supreme Court said that putting people in institutions against their will when they want to live in the community is discrimination. Yet it is still going on. Under current law, Medicaid is required—required—to pay for nursing home care for a person with a disability who is financially eligible. But there is no similar obligation to pay for the same person to receive their care at home. This makes the promise of the Olmstead decision hollow for many residents of many States.

I will have more to say about this later but I see another champion who, during his career in the House and even before that in his own State of Ohio, but for all of his life and his career, has been one of our stalwarts in fighting for the rights of people with disabilities. Senator BROWN could not be harder working and more devoted to making sure that the ADA actually works and is not put on the shelf someplace.

I thank the Senator from Ohio for all of his support over all the years, for support of the ADA, the ADA Act Amendments which he was here for and helped us get through, and for all the things we do to try to make life better, more fair, and more just for people with disabilities.

I yield the floor to the Senator from Ohio.

The ACTING PRESIDENT pro tempore. The Senator from Ohio.

Mr. BROWN of Ohio. Mr. President, I thank Senator HARKIN.

Before I was in the Senate, for several years in the House I watched from afar the work Senator HARKIN did. No one, and I mean no one—we hear a lot of accolades here; not always as genuine, perhaps, as they should be, but this one absolutely is—no one has worked as hard or as effectively as Senator HARKIN has on issues affecting

people with disabilities. It is personal for him, but Senator HARKIN has taken up what was a personal issue for him growing up, about his brother and now about his nephew, and the impact it has had on him and the impact it has had on America is terrific and is unmatched.

I know Senator Kennedy, about whom we still think so often, was a major driver of this and other civil rights issues. But I would say Senator HARKIN has been second to none, advocating for his brother, for his nephew, but for Iowans and Ohioans and Californians and North Dakotans—all over this country, New Yorkers—everyone, those Americans with disabilities who typically make less money or are less likely to be employed because of discrimination and because of biases that we all probably too often too much hold.

Senator HARKIN has always risen above that and challenged people to do the right thing on this civil rights issue and on so many other civil rights issues. For that I am grateful, as a protege, to Tom Harkin, as a mentor and well beyond that.

We know this coming month marks the 20th anniversary of the passage of one of our Nation's most important civil rights laws. It is always important to reiterate this is a civil rights issue. It does not always get as much attention as a civil rights issue, but it absolutely is a civil rights issue that affects the human right and civil right of all Americans, especially those people with disability. For the last 20 years the Americans With Disabilities Act has helped educate a child with cerebral palsy or multiple sclerosis. It has broken down employment barriers for all kinds of people with disabilities—those who are blind, those who are deaf—so many Americans. Places of work and recreation, from a courthouse to a ball park, because of this Americans With Disabilities Act, are more accessible to the wheelchair bound. So, too, are public accommodations and public transportation.

Those in this body who are as old or older than I can remember how different the world looked in terms of curbs, in terms of stairs, in terms of access, just physical access to all kinds of public facilities, let alone private facilities; how different things were before 1990 when the Americans With Disabilities Act was signed into law by the first President Bush.

Modern conveniences from the telephone to the Internet are not technological barriers but means, now, of social inclusiveness and economic opportunity. The ADA has increased graduation rates for Americans with disabilities, and it has increased public safety on our streets and in our hospitals. Simply put, since the ADA passed 20 years ago, more than 50 million—1 out of 6 of our 300 million citizens in this country—more than 50 million Americans in this country have had a greater opportunity to enjoy basic rights and

privileges afforded to every American. That is due in large part to Senator HARKIN's leadership on this bill.

He speaks about the lack of opportunities his deaf brother Frank had in school and in the workplace. At the same time he speaks about his nephew, a quadriplegic veteran, who used the GI Bill to go to school, used a wheelchair and accessible van to live a self-sufficient life. That is the difference when government chooses to assert its responsibility to extend equal opportunity to all its citizens. I understand Senator HARKIN's office is currently conducting a tour of 99 counties to collect the stories of Iowans who have benefited from the ADA. In many ways, these stories also honor the activists in the community, advocates in the courtroom, the physicians and nurses' aides and physical therapists and occupational therapists in hospitals, who pushed for change decades before the ADA.

The ADA was not the culmination of our work because it continues. But understand how many people worked so many years, working side by side with the Senator HARKINS of this body and others, to bring forward that legislation 20 years ago.

In my State, in Ohio, independent living centers and ability centers across the State have long provided the support services for Ohioans with disabilities that the law had failed to do. Ohio's school for the deaf was established in 1829 in a small house across from what is now the Capitol on Broad and High Streets in downtown Columbus. It provided the education the law did not require, in those days, of all education institutions. Through much of the last century, the 20th century, friends and families of Americans with disabilities were forced, day in and day out, to overcome daily obstacles because there was no law to help.

In the absence of a law remained the incessant bias and the chilling stigma that held back our Nation's progress—as it did with voting, with gender discrimination, as it did with racial discrimination. Passage of the ADA teaches us that wisdom and goodness persist in each of us, despite efforts to marginalize and discriminate by some of us.

Across Ohio on Monday—at the Statehouse in Columbus, independent living centers in Dayton and Cincinnati, and at the Great Lakes ADA Center in Cleveland—Ohioans will celebrate the importance of the ADA with friends and family.

In Toledo, the ability center will celebrate its 90th anniversary with an ADA celebration at the Toledo zoo, bringing together children and families to celebrate a "Journey Together—Justice, Equality and Community." Such demonstrations celebrate how far laws protecting those with disabilities have come and how much work we still need to do.

We know that Americans with disabilities continue to face employment

barriers, sometime legal, more often not, but based often on bias and prejudice and stigma and all the mix of human emotions that are not always so admirable in all of us. Americans with disabilities are twice more likely to live in poverty than their fellow citizens, with higher rates of unemployment and, don't forget, higher rates of underemployment. We know like all progress in our Nation the march for justice and equality for the disabled was not easy. Passage of civil rights, voting rights, labor rights is not ever easy. The fight for women's rights and fair pay was not easy. The passage of Medicare and Medicaid, recent health insurance reform was not easy. The fight is always worth it.

I wear in my lapel a pin depicting a canary in a birdcage. It was given to me 10 years ago at a workers Memorial Day rally celebrating those workers who had lost a limb or even their lives on the job. The canary says to me 100 years ago workers in this country who went down in our mines had no union strong enough or government that cared enough to protect them. They were on their own. That is why they took the canary down in the mine. If the canary died from toxic gas or lack of oxygen, the mine worker on his own had to get out of that mine.

We know what has happened in the hundred years since—mine safety laws, although obviously not quite good enough and not enforced often enough and effectively enough. We know what else happened: Medicare/Medicaid, civil rights, Social Security, ban on child labor, safe drinking water, clean air, seatbelts, airbags—all the kinds of things that have made our lives richer and better and longer in a way that no country on Earth before us had ever achieved.

Add the Americans With Disabilities Act to that long line of success, of a fight for justice in human rights that was not easy. Every one of those whom this canary pin represents, every one of those pieces of progress, whether it is the Food and Drug Administration, safe food, clean air, safe drinking water, Americans With Disabilities Act, civil rights, prohibition on child labor—every one of those victories came at great cost and with great effort. That is the story of the Americans With Disabilities Act. It is part of that lineage of government stepping in to extend equality and opportunity to all Americans, understanding some number of people in this body and in this country think there is not much of a role of government for a lot of things, but they need to think about that canary in the cage.

They need to think that 90 percent of this country thinks there should be strong mine safety laws, there should be strong civil rights laws, there should be strong labor laws, there should be strong pure food laws and safe drinking water and clean air and auto safety and all those things we do.

On April 4, 1864, President Lincoln signed into Federal law the authoriza-

tion to confer collegiate degrees to the deaf and hard of hearing at a campus here in Washington, DC. To this day, Gallaudet University is the only liberal arts university in the world dedicated to the pursuit of access to higher education for deaf and hard-of-hearing people.

For the past year, I have had the honor to serve on the Board of Trustees at Gallaudet University. I did so at the behest of Senator HARKIN, who has reinforced for me the responsibility we all have to serving the public good. A visit to Gallaudet University is a visit to an institution that is a model for what we should be doing in this country in civil rights and rights for Americans with disabilities.

Three years before signing Gallaudet's charter, President Lincoln celebrated our Nation's 85th year of independence, in 1861, by declaring to the Congress:

The principal aim of the US government should be—

These are Lincoln's words—

The principal aim of the US government should be to elevate the condition of men—to lift artificial weights from all shoulders—to clear the paths of laudable pursuit for all—and to afford all, an unfettered start and a fair chance in the race of life.

As we celebrate the 20th anniversary of the ADA, let's work so each American has that unfettered start and that each American has that fair chance, just a fair chance, not a guaranteed result but a fair chance, to achieve the American dream, that our Nation be free of prejudice and bias and, instead, full of opportunity and access.

I yield the floor and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARKIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HARKIN. First, let me thank the Senator from Ohio for his kind words. But more than that, more meaningfully, to thank him for all his help and support on so many broad issues that deal with working people in America and, especially now at this time, people with disabilities.

I thank him for his service on the board for Gallaudet University. It is a great institution. I would hope everybody could pay a visit to Gallaudet. It is one of the "crown jewels" of our government. As Senator BROWN said, it is the only place in the world where a student who is deaf can go and get a liberal arts education. Quite frankly, as the Senator knows, we do bring students from other countries over here who go to Gallaudet and then go to their home countries after graduating. I thank the Senator for his service on the board of Gallaudet University.

Before Senator BROWN spoke, I was talking a little bit about one of the

unfulfilled promises of ADA; that is, independent living, the idea that people should not be forced to go into a nursing home just to get support so they can live.

I mentioned the Olmstead decision of 10 years ago by the Supreme Court, which basically said that mandating that people have to live in a nursing home in order to get Medicaid support is discrimination under the ADA, but 10 years later it is still going on. Some States have moved ahead in this regard and have provided the wherewithal to help people with disabilities to live independently.

The problem is, most States still limit, they limit people with disabilities who can get this kind of assistance. They either do it through a waiver program or other exceptions. They include only certain particular types of disabilities, they have cost caps or they just simply limit the number of individuals who can be served. So it kind of is almost adding insult to injury. It is sort of the luck of the draw, sort of like a lottery. If you fall into a certain group, if you happen to have applied before they filled their quota, you can live in the community and get support. If you did not, you are out of luck.

So this has built up all kinds of tensions within the disabled community and among different groups of disabilities because States sometimes identify by disability who can get support in the community and who cannot.

So ever since the passage of ADA, and I can remember shortly after the passage of ADA I took to the floor and I said: Now that we have the ADA passed, the Americans with Disabilities Act, the next big hurdle is to make sure two things: People can live independently in the community, and they can get the supportive services they need in order to do that and to get employment.

So we have been trying to do that now for 16, 17 years. At first, there was a bill called MICASSA. Do not ask me what it stands for, I forgot. But it was a bill that would provide for people to be able to get the same support, whether they lived in an institution or they lived on their own in a community.

Well, we could never get that bill passed. CBO gave it all these horrendous costs. It was going to cost so much money. I always thought that was spurious; that the cost estimates were not right. Then we followed up with a bill called the Community Choice Act. Well, we did not get that. We have not gotten that done either, but we did get a couple of promises in money follows the person. In the recently passed health care bill, we saw our opportunity to do something, to help, to try to fulfill the mandate of the Supreme Court, a constitutional mandate that people should be able to live where they want to live.

So what we have now in the health care bill is we have expanded the Money Follows the Person Program;

that is, the money to States to follow the person. Rather than money going to a State to go to an institution to pay for a person, why not the money go to the State to go to the person and let the person decide where he or she wants to live?

So that has been extended to 2016 in the health care bill. The other part of this, of making sure people can live independently and can have economic self-sufficiency, is personal attendant services. Again, right after the passage of the ADA, I spoke about that. I said: You can have all the wonderful accessibilities in your job, you can have transit systems and buses that will take you to your job and back or subways or whatever, and you can have the most enlightened employer that can provide accessible work spaces.

But what if you cannot even get out the door in the morning? What if you cannot even get from your bed to the door to get to work? Herein, again, I speak of my own family. My nephew Kelly was only 19, about 20 years old, when he was severely injured. He became almost a quadriplegic, severe paraplegic.

Well, he is a big strapping kid. Kelly, again, was not going to give up. So he went back to school, got his education, and then he wanted to live by himself. He did. Well, he lived at home for a while with my sister and her husband, my brother-in-law. But then he wanted to strike out on his own. So he got his own independent place to live.

Here is what happened to my nephew Kelly. Every morning he would have a nurse come in. He lived by himself. A nurse came into his house, got him out of bed, got him going in the morning, took care of certain functions, got him ready to go.

Kelly would make his own breakfast, roll his wheelchair out. He had a lift on his van. Lift it up, put him in the van. Drive to work. He became so independent he started his own small business.

Then, at night when he would come home, a lot of times he would stop, shop in a grocery store or something like that, get in his van, come home. Every evening he would have, again, a personal attendant who would come into his house and do his exercises. He was so determined to keep his muscle activity alive. So he would have a person come in, do all his exercises, put him through his routines every day, and then get him ready so he could go to bed. This happened every day.

But it enabled him to get up and get out the door and go to work, become a tax-paying, income-earning citizen. So how was he able to afford this? Were my sister and her husband wealthy? Not at all, had no money whatsoever. So how was Kelly able to afford someone to come in every day and take care of him like that and give him these personal attendant services?

He was able to afford it because he was injured in the military. He was injured while serving on an aircraft car-

rier. So the VA—thank God for the VA—the VA paid for this. They paid to have his home modified so he could live by himself. Now, for 30 years, the Veterans' Administration has paid for Kelly to have personal attendant services so he can go to work, earn a living, pay taxes.

But what about people who were not injured in the military? What about people who just got injured in an accident or were born with a disability who do not have the Veterans' Administration to pay for this? Well, they are out of luck. They are just out of luck.

So they may want to get a job. They can be very capable of doing a job. They can be well educated, know how to run Microsoft and Word and all that kind of stuff. They may be qualified for a job. But if they do not have some support during the day to get out the door, how are they going to get down to that bus stop to get on that accessible bus to go to a place of business that is accessible, that has an employer that has made the workplace accessible so they can have a job? Very shortsighted. Very shortsighted, to say: No, we will do all those other things, but if you cannot get out the door in the morning, tough luck, or if you need something during the day, maybe you need someone to come in during the middle of the day to help you with something you may need, whether it is eating or grooming or bathing or toilet activities or whatever it may be, maybe you need that once or twice during the day just so you can work, they do not have that.

That is our next big challenge. That is our next big challenge, to help with these everyday tasks that most people take for granted. It makes the crucial difference between whether a person can live an independent inclusive life in the community or they have to be sent to a nursing home to live in isolation.

So when people tell me this costs a lot of money, I say: Wait a second. Wait a second. Let's have this again. It costs a lot of money? What about all these people who are in nursing homes now that could be living by themselves? What about all those people who are living by themselves now, out there but are not getting any support, but they are not working. They want to work. They are capable of working. What if they go to work and become taxpayers, income earners?

That is not taken into account, you see. Only the outlay is taken into account. That is why I have always said the cost that we see of personal attendant services is skewed because we do not take into account the other side of the ledger. But we know, we know from personal experience, that people with disabilities, as I have said, can be the most productive, hardest workers in our society, if they are just given a chance.

Again, these services, these supports, allow them to fulfill the promise of the ADA, to have jobs, participate in the

community, to make their own choices, not having the State or the government or someone else tell them how they have to live.

Let people make their own choices. Let them govern their own lives. That is why the Community First Choice option that is in the health care bill is so important. So we are starting to move in that direction. We should have done it a long time ago, but we could not, but we got it in the health care bill. So beginning in October of next year, 2011, in the health care reform bill we passed, that we will have available to States, if a State selects and chooses to implement the Olmstead decision and to support people with disabilities to live in the community on their own, they will get a bump up in their Federal matching funds.

Specifically, the community first choice option in the health care bill will cover the provision of personal care services and will also help support people who live independently, personal care services so people can live independently. For the first time in the health care reform bill we passed, the community first choice option will require a State to provide all eligible individuals with personal care services rather than only serving a small proportion, maybe just certain people with certain disabilities or waiting lists or caps on costs. This bill will require a State to provide all eligible individuals with personal care services rather than serving a small slice, as now, or keeping long and slow moving waiting lists. Some people are on waiting lists for 10, 15 years before the State comes up with the money so they may live on their own and have personal care services.

The community first choice option is one that starts next year, but it will grow every year. A State that moves in that direction will get a bump up of 6 percent in their Federal matching funds. That is a big deal. A State that wants to do this says: If we do it, we will get more money for the FMAP. Without getting into details, what that means is the State will get more Federal money, if it provides for the independent living of people with disabilities in the State. We have made significant progress in increasing home and community-based options; the big step being in the health care bill as it unfolds. But we are still a long way from having a comprehensive and equitable system for providing personal care services to all Americans who are eligible for nursing home care.

Let's talk a little bit about the issue of employment, perhaps my biggest disappointment in the 20 years since ADA has been in employment. Data surveys show that right now 60 percent or more of people with disabilities who want to work and are able to work are unemployed.

We hear about all the unemployment figures all the time. We hear about 9 percent unemployment or 18 percent unemployment. Think about people in the disability community, 60 percent

unemployment. This is shameful, this many years after the ADA was passed, 10 years after the Olmstead decision. There are a variety of reasons. Again, one of the biggest is lack of support services. Some employers don't provide enough reasonable accommodations. Some people are just reluctant to hire people with disabilities. That kind of subtle discrimination still goes on.

In the bill, we said employers must provide reasonable accommodations. I remember so many stories in the unfolding after we passed ADA. I remember the story of one woman who had a big skill set in terms of what was then computers, the early 1990s. She had a great skill set in that. She had answered an ad for employment, went down and interviewed. She clearly was qualified. Because the job required her to work at different stations, different desks, the employer said he couldn't do that because she used a wheelchair. She had been born with a disability. She couldn't get under the desks because of the height of the wheelchair.

The employer said: I would have to replace all these desks. That costs a lot of money. It is not a reasonable accommodation. So she went home, told her father this. Her father, who was somewhat of a reasonable carpenter, had a bright idea. He went down to the workshop and cut a bunch of wood blocks about 3 inches high. He took them to the employer and said: If you just put one of these under every leg of the desk, it would not cost very much. Then it will be accessible—simple things like that.

I remember the story of a school. The school board was very upset because they had to make the drinking fountains available. If we have kids in school with disabilities, we will have to lower all the drinking fountains or something like that. It will cost a lot of money. Someone pointed out, if they just put a wastebasket and a paper cup dispenser by the water fountain, they solve the problem—simple things like that that don't cost much money at all.

It took a while for people to start thinking about it. How do we do things in a simple, straightforward manner so that people can go to school or work and we can make reasonable accommodations?

Employers I talk to who have employees with disabilities say they are the most exemplary of workers. All they need is an opportunity and reasonable accommodations, maybe supportive services. Yet we just haven't made as much progress as I had hoped over the last 20 years. We need to do a better job of ensuring that people with disabilities have job opportunities, not just any job but one that is equal to their interests and their talents and pays accordingly. We need to ensure that persons with disabilities have access to the training and supports necessary to be successful.

So many times I have heard: I don't have a job in the disability area, for a

person with a disability. A lot of people think people with disabilities have to work on disability issues. That is not it at all.

I always talk about my brother Frank. He didn't do a job that had anything to do with being disabled. But he had a talent, and he could do something else. It is time to quit looking at people and focusing on the disability. Look at people and focus on their abilities, what they are capable of doing, what their talents are, what they can do. Don't talk to me about disabilities. We can overcome that. What are their talents and abilities? That is why we need the training and support activities, so we can bring that shameful unemployment rate of 60 percent down.

The ADA is to people with disabilities what the Emancipation Proclamation was to African Americans. One of the great shames of American history is that it was more than a century after the Emancipation Proclamation that the Civil Rights Act actually made good on Lincoln's promise. That is too far and too long to wait. I can't think of a better way to celebrate the 20th anniversary of ADA than by re-dedicating ourselves to completing the promise of the Americans with Disabilities Act. This means giving people with disabilities not only the right to be independent or the right to have a job but the wherewithal to be independent and to hold a job.

I don't want to forget all the progress and accomplishments we have achieved over the last 20 years. It has been wonderful, monumental. To activists and advocates in the disability community who are out there in the States and here in the Nation's Capital, I salute them. I thank them for all the progress they have worked so hard to bring about through their dedication and tireless efforts. On this day, as on Monday, they can be proud of the great things they have accomplished. We all know there is much more work to be done.

When I spoke on the Senate floor 20 years ago, I did it all in sign language. I have neglected to do so today. I think since my brother passed on, I don't speak with sign language very often. I don't practice much anymore. I have forgotten many signs. But there is one final thought I have. In American sign language, there is a wonderful sign for America. I want to teach it to all these pages and everybody. It is a wonderful sign for America.

You put your fingers together like this, kind of make an A for America, and it goes around like this. That is the sign for America. Think about it. Not separated, everyone together, one family, no one is excluded. No one is here; no one is there. We are all together. We are in this circle, the circle of life. A beautiful sign for America.

That is what I think about when I think about the Americans with Disabilities Act. It brought people into the circle. It made everybody part of a family. It made our family much more complete.

That is the historic achievement we celebrate in the Senate resolution before us today. It is the historic achievement we must safeguard for generations to come. One America, one inclusive American family that respects the dignity, the value, and the civil rights of all, including Americans with disabilities.

When he signed the ADA into law, President Bush spoke with great eloquence. Just before taking up his pen, he said:

Let the shameful wall of exclusion finally come tumbling down.

Twenty years later, that wall is indeed falling. The ADA has broken down barriers, created opportunities, transformed lives. This great law is America at its very best. So it is fitting for the Senate to commemorate its great achievement 20 years ago in passing the ADA with an overwhelmingly bipartisan vote of 91 to 6. I urge all colleagues to join with the many bipartisan cosponsors in voting for this Senate resolution.

Mr. JOHNSON. Madam President, I rise today to recognize the 20th anniversary of the enactment of the Americans with Disabilities Act. This legislation, signed into law on July 26, 1990, marked a historic affirmation of the principles of equality and inclusion upon which our country was founded. I was proud to cosponsor this legislation as a Member of the House of Representatives, and I am proud of the strides made since that time in protecting and defending the civil rights of citizens with disabilities.

When the law was enacted, many Americans believed that it was an impossible dream that all street crosswalks should be wheelchair accessible. Employers feared the prospect of having to make "reasonable accommodation" for their employees and customers with disabilities. Frankly, some people found it unthinkable that disabled people would be able to fully participate in our society. I am pleased to report that the past 20 years have proven them wrong.

Thanks to the ADA, disabled people across the Nation are better able to engage in their community, contribute to their workplace, and achieve their educational goals. While the ADA increased accessibility to public places and addressed physical barriers, it also changed the landscape of opportunities available to Americans of all abilities. Attitudes have shifted to recognize people for their abilities and talents, rather than their differences.

These advances have contributed to the growth of productivity in our Nation and have brought an entirely new realm of perspectives and ideas into the workplace. As millions of Americans have received fair treatment because of these laws, so has our Nation benefitted through increased growth and productivity in our workforce.

Last Congress, I was pleased to cosponsor and support the passage of the ADA Amendments Act of 2008 to ensure

the intent and protections of the ADA were realized. This law extends protections from workplace discrimination to cover a broader universe of persons living with disabilities. I have supported efforts to expand home and community-based services to ensure individuals can access the necessary health and assistive services while still living in their homes. I am pleased the health reform bill included these efforts, as well as other provisions to increase long-term care choices.

And yet with all this progress, there is still work left to be done. The disabled community still faces barriers in accessing quality health care, obtaining appropriate education, finding meaningful employment opportunities, and securing financial independence. The rising price of health care has placed financial pressure on all Americans. These increased costs put additional strain on disabled working Americans when their earnings become a liability rather than an asset. Individuals should have the opportunity to contribute their time and talents without jeopardizing their health insurance benefits and challenging their incentive to work. Our policies should encourage vocational promotion, self-sufficiency, and financial independence.

Many areas of our country lack reliable and accessible transportation for individuals with a disability. As we all know, without reliable transportation it is difficult to commute to work, the local grocery store, or even the doctor's office. Other obstacles in education, telecommunication, and accessible and affordable housing prevent individuals with a disability from contributing fully to their community. As our attitudes and environments continue evolving, we must work to ensure the advances made over the last 20 years continue to move us forward.

Mr. ENZI. Madam President, I rise today to join my colleagues in marking the 20th anniversary of the enactment of the Americans with Disabilities Act. As the ranking member of the Senate Committee on Health, Education, Labor and Pensions, I am particularly proud of this legislation and the impact it has had on addressing the rights and needs of people with disabilities all across the country for the past 20 years. As we mark this great anniversary, I also want to express my great appreciation for the hard work and determined effort those with a vision of equality and justice put into seeing this bill through the legislative process. It was a courageous and heroic cause and it has made a difference in more lives than we will ever know.

Just 20 years ago this month, on July 26, 1990, President George Bush signed the Americans with Disabilities Act into law. It is without question the most important civil rights legislation that has been passed by the Congress since the Civil Rights Act of 1964. It was such a great achievement because it reflected our fundamental and growing concern for human rights by ex-

tending civil rights protections to all Americans with disabilities.

Prior to the passage of the ADA, far too many of our fellow Americans with disabilities led isolated lives, artificially separated from the mainstream of society, denied the basic opportunity to pursue the American dream. Things had to change if we were to remain true to the ideals and principles upon which our Nation was founded that are enumerated so well in the Declaration of Independence and the Constitution. By any standard, those with disabilities did not have the chance to engage in all that life has to offer including their own pursuit of happiness.

Fortunately, things are different now. Although there is still more to do we have every reason to be proud of what the ADA has been able to achieve thus far. We can see the vision of the ADA being carried out before our eyes as it enables our family members, friends, and neighbors to go about their daily lives, praying, going to school, and pursuing their goals in every area of their lives—on every level—in large part because of what the Americans with Disabilities Act has made possible.

Twenty years ago, before the passage of this legislation, our country was a much different place for those with disabilities. It was difficult, if not impossible, for them to access the resources in their communities that we all take for granted. Minor barriers most of us could easily navigate had long been major obstacles for people with disabilities. We needed to do something to make it easier to access the places we all had long enjoyed with our friends. It wouldn't take a lot—just simple accommodations like curb cuts, ramps instead of stairs, more accessible stadium features, and better equipped telecommunications devices. Just these few simple changes would have made all the difference. Unfortunately, although easily done they were all too scarce and all too often impossible to find. Then the ADA came to pass and it raised our awareness of what needed to be done and our resolve to do it.

When the ADA changed everything it meant a lot to people like Ellington Herring, a young man from Germantown, MD, who has an intellectual disability and uses a wheelchair. Thanks to the ADA and the efforts of people to get it implemented across the Nation, he has full access to all the resources of his community. Without the ADA Ellington wouldn't be able to spend the day doing what he enjoys most—going to the mall, going places with his family and friends, getting his hair cut at the local barber shop, taking in a movie, and going to church.

Twenty years ago while students with disabilities had to be included in the same school those without disabilities attended, they did not have to be placed with the others in a general education classroom. It was the ADA along with the Individuals with Disabilities Education Act, and the Elementary and Secondary Education Act

that has subsequently guaranteed them access to the general education curriculum and we are all the beneficiaries of that.

Let me introduce you to someone else—Ted Dawson of Buffalo, WY. Thanks to the ADA, he was able to graduate with a high school diploma—not a certificate of achievement—but a high school diploma. There is a difference and it meant a lot to him and his parents, teachers, school administrators, and his friends. They all had high expectations for him—and he delivered! It wasn't easy. In Wyoming you have to be proficient in at least 5 of 9 common core areas in order to graduate. Ted, who has Down's syndrome, stepped up and met the challenge because that was what was expected of him. More importantly—it was what he expected from himself. He is an important example of what can happen if people are valued and included instead of being segregated into special classrooms and regarded as less capable. Thanks to the ADA, Ted is 24 now and living and working in his community.

Twenty years ago it was not well understood that people with disabilities wanted to work and pursue a career, go to school, be a part of the activities in their communities, and be treated just like everyone else. Let me introduce you to George Garcia of Cheyenne, WY. He is a 53-year-old gentleman who works part time at a meaningful job, sits on multiple boards, volunteers with several organizations and just so happens to have an intellectual disability. Mr. Garcia, as the Governor of Wyoming calls him, knows everything about the city he calls home and the State of Wyoming. In fact, he knows just about everyone who lives in Wyoming because he has spent years traveling the roads of our State sharing his story and his message about the importance of choice, freedom and independence. Without the ADA George, and thousands of people just like him, would not have had the opportunity to hold meaningful jobs, live where they choose, and go anywhere they want to in their communities.

That was so because 20 years ago people with disabilities were destined to live in an institution—community based services and support were not an option. Now families have choices and many of them have chosen community living. That brings me to Owen Johnson. Let me share Owen's story with you. He was born with spinal muscular atrophy in January of 2008 at Primary Children's Hospital in Utah. When he was born doctors told his dad, Lenn and his mom, Gayle, that Owen's life expectancy would be a mere 2 years. Lenn and Gayle wanted to bring Owen home to Wyoming to be with his family. Unfortunately they were informed that Cokeville, WY, was "too rural" and they would not be able to find the services and support they would need to do so. Some doctors were even suggesting they place Owen in a nursing home in

Utah. With the support of multiple State agencies and local organizations, after 6 months Owen Johnson went home to live with his parents on their rural ranch. Today he is 2½ and he and his family are thriving in their community and Owen is going strong—defying the odds of his doctors who are amazed and thrilled by his progress.

While it is true that we all have our own struggles in life to deal with, it is also true that some face more difficult challenges that they have to work to overcome just to do the things that are part of our own daily routine. Such an individual is Cindy Bentley from Milwaukee, WI. Cindy is an articulate, engaging, upbeat, and charismatic individual. She is a world traveler, and a national speaker and spokesperson for millions of people with disabilities. People have no idea about her history. Cindy was born with fetal alcohol syndrome with cocaine, alcohol, and heroin in her bloodstream, resulting in lifelong intellectual disabilities, seizures, and some motor control problems. She then received severe burns when she was placed in foster care at the age of 2½ and her foster mother set her shirt on fire. Shortly thereafter she was placed in the Southern Wisconsin Center for people with developmental disabilities. Cindy now lives independently in her own apartment in Glendale, WI. She was chosen as 1 of 12 Special Olympics Global Messengers from 2000–2002, and she is an active member of two statewide Governor-appointed councils.

Twenty years ago people with disabilities could not access public transportation and those that lived in the community couldn't go anywhere because they lacked the means to easily travel on their own. The ADA changed all that by removing the barriers that faced those with disabilities when they tried to travel. Such was the case for Richard Leslie, the founder and executive director of the Wyoming Epilepsy Association that is located in Cheyenne, WY. Richard himself has epilepsy and he does not have the ability to drive because of his disability. He has used his disability to empower himself and others by becoming an advocate for people with disabilities. The ADA has assisted him and others like him by creating public transit systems that are usable and accessible, much like the Cheyenne Transit Program. The Cheyenne Transit Program offers accessible bus rides at reasonable fares as well as curb-to-curb services which not only allows for mobility within the city but makes the opportunity for employment better as well because the service is tailored to the individual's needs.

These are just a few of the remarkable stories that can be told because of the Americans with Disabilities Act which is still making a difference throughout the United States. While no one would ever say that the lives of these people has been easy, the Americans with Disabilities Act has helped

to make things easier by making the things people with disabilities do every day a somewhat smaller mountain for them to climb.

The ADA opened the world to people with disabilities by guaranteeing their independence, freedom of choice, ability to control their lives, and the opportunity to completely, fully, and equally participate in the American mainstream.

No law is perfect and some problems still arise with this one. As recently as 2008 Congress had to revisit the ADA. After negotiating together through the committee process in the Senate, we acted with overwhelming bipartisan support to pass the ADA Amendments Act, which restored ADA protections that had been complicated by judicial decisions narrowing the scope of the law.

While Congress has continued to address the issue the Capitol complex is not fully accessible yet. When I served as the chairman of the Senate Committee on Health, Education, Labor and Pensions I routinely heard from people with disabilities about inaccessible hearing and conference rooms on Capitol Hill, the use of offensive terminology by Members and staff and a lack of understanding and awareness about disability issues.

That was when I took it upon myself to write a manual to help congressional offices prepare for visitors, interns, and staff who may have accessibility needs. As elected officials it is our role to ensure that everyone who comes to visit the Nation's Capitol or our home offices, including people with accessibility needs, are included in our daily dialogue. The manual contains all disability specific resources offered by the Office of Congressional Accessibility Services, the Sergeant at Arms, the Capitol Police, the Office of Security and Emergency Preparedness, the Architect of the Capitol, and other offices in the Capitol Hill complex in an easily available and easy to read format so that if a constituent who is deaf arrives at a meeting and a sign language interpreter was not reserved the office can easily determine who to call for assistance.

Just as the Architect of the Capitol is improving signage for people who are blind, and ensuring that all restrooms are accessible by wheelchair users I am currently updating the manual to account for such changes and the addition of the Capitol Visitor Center.

Today, we recognize and celebrate the anniversary of a law that brought freedom, choice, and independence to many Americans. It is a constant reminder of who we are as a people, and what we stand for as a nation. As President Bush noted when he signed the ADA into law: "This Act is powerful in its simplicity. It will ensure that people with disabilities are given the basic guarantees for which they have worked so long and so hard: independence, freedom of choice, control of their lives, the opportunity to blend

fully and equally into the rich mosaic of the American mainstream." This law makes it clear that all Americans are entitled to the right to life, liberty, and the pursuit of happiness. As we continue to make this law more responsive to the needs of those with disabilities, we will continue to ensure that the chance to live the American dream is an avenue of opportunity that is available to everyone—without exception.

Mr. KERRY. Madam President, my friend Senator TOM HARKIN has been championing the rights of Americans with disabilities his whole life. He witnessed the challenges and discriminations of people with disabilities first hand. His brother Frank lost his hearing at a very young age and he has witnessed the many ways that people with disabilities are prevented from fully participating in activities that most Americans take for granted.

Senator HARKIN has said that the 1990 signing of his bill, Americans with Disabilities Act remains one of the proudest days of his life. The vote I cast for Americans with Disabilities Act was one of my proudest days as a U.S. Senator.

This month will mark two decades since the landmark passage of the Americans with Disabilities Act, known as the ADA. This important civil rights law seeks to ensure equality rights and opportunities for the more than 54 million Americans with physical and mental disabilities.

Prior to the passage of the ADA, people with disabilities faced significantly lower employment rates, lower graduation rates, and higher rates of poverty than people without disabilities, and were too often denied the opportunity to fully participate in society due to intolerance and unfair stereotypes.

The ADA sought to eliminate the indignities and prejudice faced by individuals with disabilities on a daily basis. Before passage of this law, individuals with disabilities were prevented from attending schools, subject to discriminatory hiring practices, and were unable to enter public buildings, safely cross a street, or ride a public bus.

On July 26, 1990, the ADA was signed into law signed into law by President George H.W. Bush with the promise of fostering full and equal access to civic, economic and social life for individuals with disabilities.

Upon its passage Senator Edward M. Kennedy, who played an important role in the enactment of this legislation, said:

The act has the potential to become one of the great civil rights laws of our generation. This legislation is a bill of rights for the disabled, and America will be a better and fairer nation because of it.

Indeed, over the last 20 years, the ADA has become one of our country's most important and treasured civil rights laws.

The ADA prohibits discrimination on the basis of disability in employment,

public accommodations, commercial facilities, transportation and telecommunications, as well as federal, state and local government programs.

It has been a critical part of our efforts to fulfill the Nation's goals of equality of opportunity, independent living, economic self-sufficiency, and full participation for Americans with disabilities.

It has played an historic role in allowing over 50 million Americans with disabilities to participate more fully in national life by removing barriers to employment, transportation, public services, telecommunications, and public accommodations.

Specifically, it prohibits employers from discriminating against qualified individuals with disabilities and it requires that State and local governmental entities accommodate qualified individuals with disabilities. Because of the ADA, places of public accommodation must take reasonable steps to make their goods and services accessible to individuals with disabilities. And new trains and buses must be accessible to individuals with disabilities.

All Americans, not just those with disabilities, benefit from the accommodations that have become commonplace since the passage of the Americans with Disabilities Act like curb cuts at street intersections, ramps for access to buildings, greater access to public transportation, stadiums, telecommunications, voting machines, and Web sites benefit all Americans.

The ADA has been one of the most significant and effective civil rights laws passed by Congress. We have come a long way in the 20 years since enactment with of the ADA, but children and adults with disabilities continue to experience barriers that interfere with their full participation in mainstream American life.

People with disabilities are still twice as likely to live in poverty as their fellow citizens and continue to experience high rates of unemployment and underemployment. And many people with disabilities still live in segregated institutional settings because of a lack of support services that would allow them to live in the community.

While technology and the Internet have broken down barriers, new technologies are still not accessible to all Americans. I have cosponsored the Equal Access to 21st Century Communications Act by Senator MARK PRYOR to improve internet technology access for the blind and deaf communities. If passed, this legislation would make it easier for deaf and hard of hearing Americans to access the same technologies that hearing people take for granted. In particular, it would require all devices to be capable of captioning video and it would require all Internet videos to be captioned. No one should be or has to be excluded from modern communications and the new economy because of a disability.

For all these reasons, I urge my colleagues to join me in supporting Sen-

ator HARKIN's Senate resolution that recognizes and honors the 20th anniversary of the enactment of the Americans with Disabilities Act of 1990. This resolution not only honors passage of the ADA, it also pledges to continue to work on a bipartisan basis to identify and address the remaining barriers that undermine the Nation's goals of equality of opportunity, independent living, economic self-sufficiency, and full participation for Americans with disabilities.

Mrs. FEINSTEIN. Madam President, I am proud to be an original cosponsor of Senate Resolution 591 recognizing and honoring the 20th anniversary of the Americans with Disabilities Act.

In 1990, congressional members from both sides of the aisle joined together to denounce disability-based discrimination and demand equal rights for the disabled through the Americans with Disabilities Act. In the 20 years since, this landmark law has stood as a proud marker of our Nation's collective belief that disabled Americans can and should be full participants in our Nation's civic, economic, and social life. That, as one national disability organization proclaims, "It's ability, not disability that counts."

The Americans with Disabilities Act has had profound effects on the lives of over 50 million disabled Americans from curb cuts to elevators, Braille displays to voice recognition technology, and voting assistance to expanded employment opportunities, to name just a few examples.

Because of the Americans with Disabilities Act, Americans who are deaf or hard of hearing are now guaranteed the same services that law enforcement provides to anyone else. Law enforcement agencies may not exclude hearing impaired Americans from their services and must make efforts to ensure that their personnel communicate effectively with people whose disability affects their hearing.

Thanks to this landmark law, buses are now equipped with reliable lifts for wheelchair access; drivers announce stops to inform the seeing-impaired of arrival; and paratransit services provide door-to-destination transportation. This increased mobility enables disabled Americans to hold jobs and pursue educational opportunities, to perform day-to-day errands independently, and to access medical and social services.

As one San Francisco resident said, "We no longer have to rely on the kindness of strangers to shop for us or feel that we can only experience other cities through films, videos and books."

The Americans with Disabilities Act has enabled disabled Americans to visit and enjoy the grounds of our Nation's cultural and historical treasures such as Mount Vernon, the home of George Washington.

This important law has also improved the quality of life for Americans with impaired sight, by requiring

stores and businesses across the country to accommodate the service animals that guide and assist them. And progress is being made to ensure that the Web sites and online stores that make up the world of e-commerce are accessible as well.

Let me offer yet another example: a veteran fireman like Dennis Bell does not have to quit his job when he loses his leg during a rescue attempt, because of the Americans with Disabilities Act. Instead, his employer must provide him with the opportunity to be reassigned. In Mr. Bell's case, he has been given an opportunity to work in a new division instructing children about fire safety.

And because of the Americans with Disabilities Act, a gifted man like Chris Lenart, who is unable to talk or walk, can pursue a successful career as a computer programmer and remain economically self-sufficient. Employers can no longer deny a job to a qualified applicant because of a disability.

At least 12 percent of Americans live with a disability, but each and every one of us benefits from the skills and talents of disabled Americans who can now contribute to our country's workforce and public life, and whose abilities are not lost for want of an opportunity to demonstrate them.

I believe that our country has become a stronger and fairer place over the past 20 years because of the Americans with Disabilities Act. As the 20th anniversary approaches, I am proud to reflect with my colleagues on the progress that has been made as a result of this law, as well as to acknowledge that there is more work still to be done.

Mr. DURBIN. Madam President, next Monday marks the 20th anniversary of the enactment of the Americans with Disabilities Act. The ADA is one of America's great civil rights achievements. In its scope and intentions, it ranks alongside major victories for equal justice, like the 15th and 19th amendments, the Civil Rights Act and the Voting Rights Act.

I would like to recognize and congratulate my friend and colleague TOM HARKIN for his instrumental role in authoring this legislation 20 years ago. He has been a steadfast advocate for people with disabilities, and with his leadership last Congress we passed the ADA Amendments Act of 2008 to restore the full promise of the ADA after it been distorted and diluted by a series of bad Federal court decisions.

I am deeply proud to have voted for the ADA in 1990 because this law produced changes in society—removing physical barriers, prohibiting discrimination, and changing attitudes—that we might take for granted today.

Before passage of this law, people with disabilities were too often denied the opportunity to fully participate in society. Back then, if you needed a haircut, if you had to see a doctor, if you just wanted to meet a friend for a cup of coffee, you probably had to rely

on family, friends, or a social service agency. Very few transit systems in this country had buses or trains that were accessible to people using wheelchairs.

We passed the ADA to fulfill the Nation's goals of equality of opportunity, independent living, economic self-sufficiency, and full participation for Americans with disabilities. Twenty years later, it is clear that this pioneering law is fulfilling its promise in many ways.

You can see it right outside on the sidewalk with curb cuts, ramps, Braille signs, and assistive listening devices. The physical changes the ADA has brought about benefit all Americans, not just those with disabilities. We have seen progress in public transportation and public accommodations. Because of the ADA and IDEA together, thousands of Americans with disabilities have gone to good schools, received good educations, and entered the workforce.

The Americans with Disabilities Act does not grant people with disabilities any special status or position. To the contrary, it simply removes certain barriers that for too long had made it difficult—if not impossible for people with disabilities to make the most of their God-given skills and abilities, and to participate fully in their communities and in the workplace.

Despite the important changes made by the ADA, we still have work to do to ensure that people with disabilities achieve the full promise of the law. Twenty years after enactment, people with disabilities still experience barriers that interfere with their full participation in mainstream American life.

The promise of equal employment opportunity for people with disabilities remains largely unfulfilled.

More than 60 percent of working-age Americans with disabilities are unemployed. Americans with disabilities who do work tend to be concentrated in lower paying jobs. As a result, individuals with disabilities are three times as likely to live in poverty as individuals without disabilities. That has to change. Most people with disabilities want to work, and have to work.

Many people with disabilities continue to live in segregated institutional settings because the support services they need to live in the community don't exist or aren't affordable. And many public and private buildings still aren't accessible to people with disabilities.

It is important to take the time today to recognize the barriers we have eliminated for people with disabilities, and recognize that we still have work to do. We need to continue tearing down the subtler barriers that prevent far too many people with disabilities from participating fully in our economy, not just because it is the right thing to do, but because it is the smart thing to do.

When President George H. W. Bush signed the ADA in 1990, people on both

sides of the aisle cheered and the President proclaimed: "With today's signing of the landmark ADA, every man, woman and child with a disability can now pass through once-closed doors into a bright new era of equality, independence and freedom."

That remains our vision, and I look forward to working with my colleagues to widen that door even further so more Americans can pass through.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HARKIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HARKIN. Madam President, we are rapidly approaching the time when we will yield the floor to a different resolution, and I guess the vote will be held at around noon on the resolution commemorating the 20th anniversary of the Americans with Disabilities Act. I didn't say this before, but there are a lot of activities going on all over this country this weekend. In every State, certain activities are taking place, although not the same thing. Different States do different things. Senator BROWN mentioned that in Iowa we are collecting stories from all of our 99 counties from people with disabilities, from families and friends who know of what has happened in the life of a person with a disability and has been affected by the Americans with Disabilities Act. I am participating this weekend in several events in Iowa commemorating the ADA. In every State we are doing this. It is happening all over the country. Of course, it is happening in Washington, DC, as well.

Next Monday there will be a series of events. At 10 a.m. there will be a panel discussion that will take place in the Kennedy Caucus Room in the Russell Building. That is from 10 to 12 noon. Everyone is invited. It will be a discussion, interestingly enough, among a lot of people who were there at the creation, including Steve Bartlett, whom I mentioned, Boyden Gray, Attorney General Dick Thornburgh, Bobby Silverstein, Pat Wright—a number of people who were there in the beginning—to talk about how this happened but then to also have the audience participate in a discussion about what needs to be done and where we go from here. So that is from 10 to 12 in the Kennedy Caucus Room in the Russell Building.

Then at 1 p.m. there is an ADA reception on the House side in Statuary Hall. That will start at 1 p.m. Then a very interesting thing is going to happen on the House side. At 2 p.m. the House will come into session. The Presiding Officer in the House at that time will be Representative JIM LANGEVIN from Rhode Island. Congressman LANGEVIN is a severe paraplegic. I have

known JIM for many years. He uses a wheelchair. Congressman LANGEVIN has never been able to preside over the House because, like our podium here, one has to go up a number of steps to get to it. There is no way he could get his wheelchair up there. I understand the House is in the process now of developing a system so that individuals who use wheelchairs can now get to the podium.

So for the first time, a Congressperson using a wheelchair will preside over the House of Representatives. I intend to be there. As a former House Member, I have privileges of the floor. I want to see that historic event. That will take place at 2 p.m. on the House side.

Then, at 4 p.m., from 4 to 6, President Obama is opening the White House lawn for a celebration. There will be several hundred people there—people with disabilities and their families and friends, people who have been involved in this. As I understand it, the White House will be making a proclamation at that time. That will be from 4 to 6.

At 7 p.m. there will be an ADA anniversary gala at the National Press Club from 7 p.m. to 11 p.m. thrown by a coalition of disability advocates. So a full day of celebration and remembrance and a day of commitment to moving further and making sure the promise of the ADA is fulfilled—not in 100 years but a much shorter time period than that.

As I mentioned earlier, it took 100 years, from Lincoln's Emancipation Proclamation to the Civil Rights Act of 1964, before the Emancipation Proclamation promise was actually put into law. I hope and trust and will work hard to make sure it doesn't take 100 years to make the promise of the ADA complete throughout our society. We have come a long way. We have some more things to do. We are at it and we are going to keep at it. We are going to keep doing whatever we can to make sure the four goals of the Americans with Disabilities Act are realized in as short of a timeframe as possible.

So with that, I yield the floor and note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HARKIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HARKIN. Madam President, first of all, I ask for the yeas and nays on the resolution.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. HARKIN. I thank the Presiding Officer.

I yield back whatever time remains on our side on this resolution.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HARKIN. Again, I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BAUCUS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

RENEWING THE IMPORT RESTRICTIONS IN THE BURMESE FREEDOM AND DEMOCRACY ACT OF 2003

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to the consideration of H.J. Res. 83, which the clerk will state by title.

The assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 83) approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

The ACTING PRESIDENT pro tempore. Under the previous order, all time is yielded back, except for 20 minutes, with the time equally divided and controlled between the Senator from Montana, Mr. BAUCUS, and the Senator from Kentucky, Mr. MCCONNELL, or their designees.

The Senator from Montana is recognized.

Mr. BAUCUS. Madam President, today the Senate considers extension of economic sanctions against the Burmese regime. The Senate should pass this resolution.

Aung San Suu Kyi, the Nobel Peace Prize winner and democracy leader in Burma, said "the people in Burma are like prisoners in their own country."

Dr. Suu Kyi, herself, remains, quite literally, a prisoner. The Burmese regime has kept her under house arrest on trumped up charges for 14 of the last 20 years.

She persists in her dream of freedom and democracy for Burma. By extending economic sanctions against the Burmese regime, we hope to make that dream a reality.

The Burmese regime seems intent on keeping its people in chains. According to the State Department, the regime continues to conscript children into the military and engage them in forced labor. It continues to violate freedoms of expression, assembly, association, movement, and religion. It continues to use murder, abduction, rape, and torture against its opponents.

I have often questioned whether unilateral trade sanctions are the best path. But several trading partners—including the European Union, Canada, and Australia—have joined us in imposing sanctions against Burma. The State Department has found that these sanctions have made it more difficult and costly for the Burmese regime to profit from imprisoning its people.

Let us stand with the Burmese people. Let us seek to free them from their captivity, and let us renew these sanctions.

I urge my colleagues to support this bipartisan resolution.

Mr. MCCONNELL. Madam President, today our colleagues will vote on H.J. Res. 83, which would extend sanctions on the Burma regime for another year. As in years past, I am joined in this effort by my good friend, Senator DIANNE FEINSTEIN. Alongside the 2 of us are 66 other cosponsors, including Senators MCCAIN, DURBIN, GREGG, and LIEBERMAN.

This overwhelming bipartisan support for sanctioning the junta reflects the clear view of more than two-thirds of the Senate that the generals currently ruling Burma should be denied the legitimacy they are pursuing through this year's sham elections.

Renewing sanctions against the military regime in Burma is as timely and as important as ever. The ruling State Peace and Development Council is continuing its efforts to try to stand up a farcical new Constitution by holding bogus elections. These elections—whenever they take place—will be dubious for a number of reasons. First, the junta continues to imprison Nobel Peace Prize laureate and prodemocracy leader Aung San Suu Kyi. The generals have made it clear they will prevent her from participating in any government under the new Constitution.

Second, the military leadership effectively forced Suu Kyi's party, which overwhelmingly won the last Democratic election way back in 1990, to shutter its operation.

Third, the Burmese electoral watchdog, which is essentially an arm of the SPDC, recently issued rules on campaigning that are ludicrous on their very face. For instance, they prohibit a variety of electioneering activities such as organizing marches, holding flags, and chanting slogans.

As if things in Burma on the election front were not alarming enough, the potential security threat posed by the regime has become increasingly worrisome. The last several months have continued to produce press reports of ties between Burma and North Korea, including particularly alarming indications of alleged weapons transfers from Pyongyang.

I am hopeful the time will soon come when sanctions against the Burmese Government will no longer be needed and that, as did South Africa in the early 1990s, the people of Burma will be able to free themselves from their own government. However, as recent events indicate, the Burmese junta maintains its iron grip on its people and continues to carry out a foreign policy that is inimical to U.S. objectives.

For these reasons, the United States must deny this regime the legitimacy it so craves and await the day when the Burmese people will be permitted to govern their own affairs.