

Email Interview with Senator Harkin

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Mila: Where did the idea that a broad, comprehensive bill regarding disability rights was necessary come from?

Senator Harkin: The answer is, when we passed the big Civil Rights Bill in the mid-1960s that banned discrimination on the basis of race, sex, color, religion, national origin, it left out disability. So this really couldn't begin at that point to begin to say what about us. That there's no right of action against anyone in this country for discriminating against someone because of a disability. So about that time it started a process of encompassing within the broad Civil Rights Laws a disability anti-discrimination law.

Mila: What was it like to work with the disability community on the Americans With Disabilities Act?

Senator Harkin: Well it was a challenge because every disability group had their own little interests. Blind people had their interests, Deaf people had their interests, Cerebral Palsy had their interests, and on and on and on. It just seemed that every disability group had their own little interest area. And we had to bring them all together under one umbrella. And that was a real challenge because some disability groups that were smaller thought that they would be completely forgotten about under this big umbrella. Once we got them together it was a mutual effort it, It was an all-encompassing fight to get this bill through and signed by the President.

Mila: How would you describe the coalition of disability rights advocates, including people with disabilities, organizations, legal experts, legislators, and other leaders of the ADA? What was the significance of these different sources of leadership in the ADA?

Senator Harkin: Well the coalition was fragmented in the beginning in fact it almost fell apart at one point. And we had of course the legislators who had different ideas on what should be in and what should be out. The Coalition was loosely knit at first because of different interests that were already becoming apparent. On the other hand different sources of interest provided the background to draft the law. Once the Bill was drafted, the leadership banded together and became strong advocates of the Bill.

Mila: What was the process of drafting the ADA like? What were the biggest obstacles legislators like you faced while working on the ADA? Were there any sources of strong opposition to the bill?

Senator Harkin: Yes, there was strong opposition by some, of which, was not necessary and would open up lawsuits against small businesses and hurt the flow of commerce. They relied on the outdated concept that people with disabilities were not capable of doing those jobs. It was overcoming an over patronizing attitude that people held against those people with disabilities that was the hardest. The process of drafting the Bill didn't happen overnight as there were many different drafts between the time it was first introduced and the time it was adopted.

Mila: What are some of the most pressing issues regarding disability rights today? Do you believe that Congress has the leadership required to effectively address these issues?

Senator Harkin: Two of the most pressing issues was 1st) Trying to get employers to employ people with disabilities, 2nd) Establish a form of independent living for people with disabilities. A fact that over 60% of adults with disabilities is a blank on a national character. The fact that so many states have not complied with the Supreme Court with moving people out of institutes to independent living is unacceptable in this day and age. Congress started to employ the Workforce Investment and Opportunity Act of 2014. This was a Bill that came through my committee (Health, Education, Labor, and Pension Committee). The private sector is beginning to make strides to employ people with disabilities. States need to exercise the community 1st choice option in the Affordable Care Act so people with disabilities can live independently.

Mila: The theme for this year's competition is "Leadership and Legacy." What do you believe these two concepts mean in terms of the drafting and passage of the Americans with Disabilities Act?

Senator Harkin: Leadership comes not from dictating terms and conditions, but from informing coalitions and gain support to reach a stated goal. The legacy of that type of leadership means that the people affected by the process of achieving that goal have a stake in the outcome. That is what we tried to do with the Americans with Disabilities Act. We didn't just ask people with disabilities to join in, but families and friends, the private sector and individuals involved with the economy, because they overall have a stake in the outcome of reaching the goals stated by the implementation of the ADA.