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Collection Summary
Collection Title: Disability Rights Education and Defense Fund, Inc., Washington, D.C. Office Records
Date (inclusive): 1975-2001
Collection Number: BANC MSS 99/282 z
Extent: 7 cartons1 oversize folder8.75 linear feet
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Abstract: The Disability Rights Education and Defense Fund, Inc., Washington, D.C. Office Records [1982 – on-going], depicts the leadership of the organization in the course of their struggle to bring comprehensive civil rights to the disabled community. The bulk of the documentation concerns legislative lobbying and community mobilization through public education and grassroots efforts.

Languages Represented: Collection materials are in English

Access Information
Collection is open for research.

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Lowell Weicker introduced the ADA legislation into Congress in April 1988, presenting compelling evidence that disability rights organizations, and it was decided that DREDF should lead the fight. DREDF has created a community and established direction for the disability rights movement by organizing groups and individuals throughout the country while negotiating the terminology used to draft legislation and testimony. The organization’s tireless efforts and partnerships with other civil rights groups have brought a greater public awareness to the cause, while constructing much of the legislative language used for the Americans with Disabilities Act. DREDF’s ultimate goal was realized in 1990, after several years of drafting and lobbying endeavors, when the ADA was passed by Congress and approved by President George H. W. Bush. The documents in the collection consist primarily of the working papers and correspondence of Patrisha A. Wright, Director of Governmental Affairs and co-founder of DREDF.

Buoyed by the Civil Rights Movement of the 1960’s, many of DREDF’s legislative achievements in the 1980’s came as a reaction to growing threats that the rights gained up to that point would be stripped away. Several decisions made by the Supreme Court and local district courts undermined the implementation of disability rights law throughout the country. In January 1981, President Ronald W. Reagan took office and immediately began a campaign to streamline government through deregulation. In order to determine which programs would be effected, Reagan formed the Presidential Task Force on Regulatory Relief. Reagan assigned then Vice-President Bush the role of heading the deregulation effort and Bush, in turn, enlisted executive chief counsel C. Boyden Gray, to implement the process for the administration.

Early in 1982, a draft of proposed deregulatory changes from the Department of Justice (DOJ) was leaked, quickly falling into the hands of disability rights activists, including Robert Funk and Patricia Wright of DREDF. Three of the initial targets in the push for deregulation were issues close to the heart of the disability community: the Section 504 regulations of the Rehabilitation Act of 1973, the Education for All Handicapped Children Act regulations (later re-named Individuals with Disabilities Education Act or IDEA), and the regulations for the Architectural and Transportation Barriers Compliance Board (ATBCB). The Section 504 regulations, considered to be the “Civil Rights Law for the Handicapped,” had only been implemented following a long, intense battle, culminating in April 1977 after a nearly month long sit-in by civil rights activists at the San Francisco office of the Department of Health, Education and Welfare. DREDF believed that the disability community would suffer dire consequences if the proposed deregulations occurred. Funk and Wright convened a meeting of disability rights organizations, and it was decided that DREDF should lead the fight.

Another key appointment that Reagan made in 1981 was Justin W. Dart, Jr. as Vice-Chair to the National Council on the Handicapped (which has since become National Council on Disability or NCD). At this time, the NCD was a component of the Department of Education and disability rights law varied widely from state to state. Beginning in late 1982, Dart completed several tours of the country, holding public forums and meeting with activists in every state to discuss the array of issues relating to the disabled.

By 1983, the Presidential Task Force on Regulatory Relief was disbanded, but in 1984 the impact of Grove City College v. Bell presented additional concerns for the civil rights and disability communities. The case concerned a woman who alleged that her college had discriminated against her based on gender. The Education for All Handicapped Children Act of 1972 stated that discrimination due to gender was illegal if the institution received federal funds. The court determined that the program that the woman was enrolled in at Grove City College was not in receipt of federal funding, therefore the plaintiff did not have the right to sue. As a direct attempt to counteract the Grove v. Bell decision and guarantee civil rights for everyone, the Civil Rights Restoration Act was introduced into Congress in 1984. This same year, NCD became an independent agency, with attorney Robert L. Burgdorf of the U.S. Commission on Civil Rights joining the organization.

In 1986, during the negotiation period for the Civil Rights Restoration Act, at the request of the President and Congress, NCD published a seminal report, Toward Independence: An Assessment of Federal Laws and Programs Affecting Persons with Disabilities along with Legislative Recommendations. In it, Dart and Burgdorf examined the nature of the treatment of disabled people throughout the country, presenting the notion of a national civil rights policy to end discrimination against disabled persons. The Civil Rights Restoration Act passed in 1987 and the following year NCD issued subsequent analysis entitled On the Threshold of Independence, setting the foundation for the ADA. Congressman Tony Coelho and Senator Lowell Weicker introduced the ADA legislation into Congress in April 1988, presenting compelling evidence that disability
law still needed vast improvements to make civil rights available for the entire disabled community. In May 1988, Congressman Major R. Owens established the Task Force on the Rights and Empowerment of Americans with Disabilities, with Dart and Elizabeth Boggs acting as co-chairs, to assist Congress in constructing negotiations for the ADA with the disabled community. Concurrently, the Fair Housing Amendments Act of 1988 was passed to amend title VII of the Civil Rights Act of 1968, ensuring fair treatment in housing for disabled individuals.


Analysis, testimony, legislative language requests and other documentation from various disability and civil rights groups, federal agencies and others is included from: the American Civil Liberties Union (ACLU), American Coalition of Citizens with Disabilities (ACCD), Americans Disabled For Attendant Programs Today (ADAPT), Architectural and Transportation Barriers Compliance Board (ATBCB), Association for Retarded Citizens (ARC), Center for Law and Social Policy (CLASP), Consortium for Citizens with Disabilities (CCD), Disability Rights Center (DRC), Equal Employment Opportunity Commission (EEOC), Gallaudet University, Leadership Conference on Civil Rights (LCCR), Muscular Dystrophy Association (MDA), National Council on Disability (NCD), National Council on Independent Living (NCIL), National Easter Seals Society, Paralyzed Veterans of America (PVA), President's Committee on Employment of People with Disabilities (PCEPD), Task Force on the Rights and Empowerment of Americans with Disability (TFREAD), United States Department of Justice (DOJ) and their Office of Civil Rights (DOJ, OCR), and World Institute on Disability (WID).

Members of these organizations whose contributions are notably documented in the collection include: Chris Bell, Elizabeth Boggs, Mary Lou Breslin, Robert L. Burgdorf, Timothy M. Cook, Justin W. Dart, Jr., Chai Feldblum, Robert Funk, Lex Frieden, I. King Jordan, Evan Kemp, Jr., Arlene Mayerson, Bonnie Milstein, Sandra Swift Parrino, Elizabeth Savage, Robert Silverstein, Attonrey General Richard (Dick) Thornburgh, and Patrisha A. Wright. Most notable documentation is by Chris Bell, Robert L. Burgdorf, Timothy M. Cook, Justin W. Dart, Jr., Chai Feldblum, Arlene Mayerson, Robert Silverstein, and Patrisha A. Wright.

SERIES 1: LEGISLATIVE ACTIVITIES 1982-1993

Physical Description: Cartons 1-7

Scope and Content Note

Divided into seven sub-series: Section 504 Rehabilitation Act of 1973, Deregulation Task Force Efforts, 1981-1985, the Education for All Children Act Amendment, 1985-1987, the Civil Rights Restoration Act of 1988, 1984-1987, the Fair Housing Act Amendments of 1988, 1985-1992, the Americans with Disabilities Act of 1990, 1975-1993, and AIDS Legislation, 1985-1988. Arranged hierarchically, then chronologically. Generally, further organized into working papers, community organizing, press clippings, background, and enforcement standards. Documentation consists primarily of the “working papers” created during the process of drafting legislation. These are further defined as the daily record of negotiating the legislative and lobbying process that occurs when trying to get a bill heard by Congress and new laws established. Bills originate in either the Senate or the House of Representatives and are thus designated as S. or H.R. respectively. The working papers consist of drafts of legislation, analyses, committee prints, proposed amendments, substitutions and markups, commentary, testimony and floor statements, question and answer sheets (Q&A), talking points, report language suggestions to bill sponsors, colloquy, Dear Colleague letters, and congressional voting tallies. Some of the working papers consist of correspondence of memoranda, notes, and background materials. Community organizing and public education records pertain to items that were provided to create awareness regarding disability rights law. DAEDF and other grassroots disability rights supplied these documents to mobilize interested groups and individuals by raising public consciousness and organizing events. These papers include action alerts, newsletters, target vote sheets, background materials, position papers, lists of sponsors, committee lists, commentary, and briefing papers. The collection also includes follow-up information in the form of enforcement of regulations, guidelines and manuals for compliance, complaints received by governmental offices, litigation, press clippings and other analysis of the implemented law.

Arrangement
Arranged hierarchically and then chronologically.

Scope and Content Note
Documents the efforts to stop the Reagan administration’s pursuit of deregulating Section 504 of the Rehabilitation Act of 1973 from being implemented. Part of a larger plan to cut back on government spending by deregulating certain federal functions, Vice-President George Bush was chosen to chair the committee and C. Boyden Gray headed the operation. Section 504 of the Rehabilitation Act of 1973 states, “No otherwise qualified handicapped individual in the United States; as defined in section 7(6), shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” The Supreme Court, in the 1979 case Southeastern Community College v. Davis, ruled that the Section 504 regulations did not apply to certain cases of discrimination.

carton 1, folder 1  Department of Justice proposed regulations 1981

carton 1, folder 2  Analysis of proposed regulations 1982

carton 1, folder 3  Congressional Research Service report: Implications of North Haven Board of Education v. Bell 1982 May 26

carton 1, folder 4  Correspondence to Robert Funk, by Vice-President George H. W. Bush, signaling the defeat of deregulation efforts 1983 March

carton 1, folder 5  Memoranda, Re: Georgia Association of Retarded Citizens v. McDaniel, by the Department of Justice 1983 April

carton 1, folder 6  Memoranda, Re: Contemplated Changes in the Justice Department’s Coverage of Discriminatory Programs and Activities under Federal Spending Statutes, by the Department of Justice 1983 April

carton 1, folder 7  Federal Register of the Department of Justice: Enforcement of Nondiscrimination on the Basis of Handicap in Department of Justice Programs; Proposed Rule 1983 December 16

carton 1, folder 8  Community organizing, in response to Department of Justice memoranda: action alert, sample letter and guidelines 1983

carton 1, folder 9  Press clippings 1983

carton 1, folder 10  Commentary on Department of Justice proposed rulemaking, by the American Council of the Blind 1984

carton 1, folder 11  DREDF 504 Case Law Update 1985


carton 1, folder 13-19

Education of All Handicapped Children Act Amendments of 1986 1984-1987

Arrangement
Arranged hierarchically and then chronologically.

Scope and Content Note
These papers include items relating to the amendment of the 1975 law, which established the right to free, public education for disabled students. The 1986 amendments increased protections to cover disabled children ages 3 to 5 and set up a program for assisting in the early education of disabled infants and toddlers. In 1990, the name of the law was changed to the Individuals with Disabilities Education Act (IDEA) and coverage was improved to increase state services and include autistic and brain injured children.
SERIES 1: LEGISLATIVE ACTIVITIES 1982-1993

Observations in mainstreamed and segregated classrooms: student assessments and blank surveys 1984-1986
Undated

carton 1, folder 13

Comprehensive Compliance Review of State Education Agency Operations, manuals 1, 4 and 10, by the U.S.
Department of Education, Office of Special Education 1985 August 6

carton 1, folder 14

Community organizing: action alerts, committee lists, commentary and memoranda 1985-1987

carton 1, folder 15

Community organizing: action alerts, committee lists, commentary and memoranda 1985-1987

carton 1, folder 15

Q&A, Re: Least Restrictive Environment, by the U.S. Department of Education, Office of Special Education 1986
March 23

carton 1, folder 17

Memoranda, Re: Jurisdiction over Pennsylvania Intermediate Units, by the U.S. Department of Education, Office of
Special Education 1987 January-March

carton 1, folder 18

Integration Report, by the Massachusetts Advocacy Center 1987


Arrangement
Arranged hierarchically and then chronologically.

Scope and Content Note
Further arranged into: Working Papers and Notes and Background. These papers follow the course of legislation and lobbying followed in reversing the 1984 U.S. Supreme Court’s decision in Grove City College v. Bell. In this case, a woman filed suit against Grove City College under the Education Amendments of 1972, which prohibited discrimination based on gender for programs or activities receiving federal funding. The Supreme Court ruled that whether or not the plaintiff was discriminated against was not an issue, because she was not enrolled in a program that received federal funds. The court ruled in favor of the college, but civil rights advocates viewed the Grove City ruling as an unfortunate precedent to permitting future discrimination. The case had determined that institutions did not need to make accommodations for disabled citizens if federal funding was not going directly to the program in question. Congress passed the Civil Rights Restoration Act in 1988, overriding President Reagan’s veto.

Grove City College v. Bell: syllabus and opinions of the court 1984 February 28

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Congressional Research Service analysis: Grove City College v. Bell 1984 March 29

Grove City College response legislation: floor statements to be used when arguing for H.R. 5490 and S. 2568 1984 April 10

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Statement before the Subcommittee on Constitutional and Civil Rights on H.R.5490 of the House Committee on Education and Labor, by Arlene B. Mayerson 1984 May 22

carton 1, folder 23

A Legislative Study of S. 2568: The Civil Rights Act of 1984, by Benson D. Scotch for Senator Patrick Leahy 1984

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Federal Funding of Discrimination: The Impact of Grove v. Bell, by Marcia D. Greenberg and C.A. Beier of the National Women’s Law Center circa 1984
H.R. 700: draft bills and proposed amendments 1984-1985
Congressional voting tallies 1984-1985
Leadership Conference on Civil Rights: community 1984-1990
H.R. 700, S. 272 and H.R. 370: analyses 1985 February
H.R. 700 and S. 431: analyses 1985
Testimony on H.R. 700 before the House Education and Labor Committee and the House Judiciary Committee’s Subcommittee on Civil and Constitutional Rights 1985 March
Testimony on H.R. 700 before the House Education and Labor Committee and the House Judiciary Committee’s Subcommittee on Civil and Constitutional Rights: DREDF 1985 March 26
Testimony on H.R. 700 before the House Education and Labor Committee and the House Judiciary Committee’s Subcommittee on Civil and Constitutional Rights: Arlene B. Mayerson 1985 March 28
Affirmative Action analyses: Lawyer’s Committee for Civil Rights Under Law 1985 August 28
Press clippings 1985
Public education campaign: action alerts and press releases 1985
Public education campaign: Speak Out for Civil Rights rally 1985
Public education campaign: sample letters to Congress 1985-1988
Analyses: impact of Grove City College v. Bell 1985-1986
Impact of the Grove City College Decision on Section 504 of the Rehabilitation Act: drafts, notes and memoranda 1985-1986
Impact of the Grove City College Decision on Section 504 of the Rehabilitation Act, by Paul Di Donato of DREDF 1986
Testimony on The Impact of Grove City College v. Bell before the Subcommittee on Civil and Constitutional Rights of the House Judiciary Committee: Charles D. Goldman, Esq. and Irwin J. Faibisch 1986
Memorandum, Re: Nomination of David C. Treen to the U.S. Court of Appeals for the Fifth Circuit 1986
Public education campaign: American Association of University Women 1986
S. 557: draft bill 1987 February 19
Inspector General’s Review of the Office for Civil Rights, Section 504, Fiscal Year 1986 1987 March
S. 557: Q&A 1987 March-April
Testimony on S. 557 before the Senate Committee on Labor and Human Resources Hearing 1987 March-April
S. 557: Senator Hatch amendment 1987 April
S. 557: Senator Humphrey amendment 1987 April
S. 557: Senators Kennedy-Weicker amendment 1987 April
S. 557: Senator Thurmond amendments 1987 April-May
Remarks of William Bradford Reynolds, Assistant Attorney General, Civil Rights Division at the Conference on Disability Policy: The State of the Nation Institute for the Study of Exceptional Children and Youth of the University of Maryland 1987 May 12
S. 557: analysis 1987 May 12
Public education campaign: media strategy 1987
Public education campaign: outreach resources Unated
Press clippings 1987
S. 557: Dear Colleague letters 1987-1988
SERIES 1: LEGISLATIVE ACTIVITIES 1982-1993


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Congressional voting tallies and lobbying targets 1987-1988

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Correspondence from Congress 1987-1988

Carton 2, folder 4
S. 557: Senator Harkin amendment and draft floor statements 1988 January

Carton 2, folder 5
Analysis, by the Assistant Attorney General for Legislative Affairs, John R. Bolton
1988 January 25

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S. 557: Representative Sensenbrenner substitute and floor statement 1988 March 1

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S. 557: floor statements, by Representative Edwards 1988 March 1

Carton 2, folder 8
S. 557: draft bill 1988

Carton 2, folder 9
Correspondence to Congress 1988

Carton 2, folder 10
DREDF notes Undated

Carton 2, folder 11-13
Background: complaints received by The U.S. Department of Health and Human Services, Office of Civil Rights 1976-1987

Fair Housing Amendment Act of 1988 (FHAA) 1985-1992

Arrangement
Arranged hierarchically and then chronologically.

Scope and Content Note
Further arranged into: Working Papers and Notes, Press Clippings and Background. Contains documentation regarding anti-discrimination amendments added to the Civil Rights Act of 1968. The Fair Housing Amendments Act gave disabled citizens, as well as pregnant women and those planning to adopt children, the same rights to housing as minorities and others protected by the Civil Rights Act. The legislation also revised standards for newly constructed multiple-dwelling housing to allow for more disabled housing.

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H.R. 4119: draft bill 1985 April 10

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H.R. 4119: commentary, by the Center for Law and Social Policy 1986 July 21

Testimony on S. 558 before the Senate Judiciary Committee's Subcommittee on the Constitution Irene Natividad of the National Women's Political Caucus, Marca Bristo of the National Council for Independent Living and Bonnie Milstein 1987 March-April

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Community organizing: summary of Marca Bristo's testimony and memoranda 1987 March-April

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Testimony on H.R. 1158 before the House Judiciary Committee's Subcommittee on the Constitution and Civil Rights: David Liederman of the Child Welfare League of America, James B. Morales of the National Center for Youth Law and Edward Roberts of the World Institute on Disability 1987 April-May

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S. 558, Kennedy-Specter Substitute: sub-committee print and marked-up version 1987 circa May

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S. 558, Senators Humphrey and Hatch proposed amendments to Senators' Kennedy-Specter substitute 1987 July

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H.R. 1158: draft bill 1987 October

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Dear Colleague letters 1987-1988

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Congressional voting and position tallies 1987-1988

Public education campaign: correspondence to Congress, action alerts and community organizing 1987-1988

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H.R. 1158: floor statements and colloquy 1988 June

Carton 2, folder 31
H.R. 1158: Representative Sensenbrenner's amendments 1988 June 29

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H.R. 1158: Representative Dannemeyer's amendments 1988 June 29
Arrangement

Arranged hierarchically and then chronologically. Further arranged into: Working Papers, Press Clippings, Post Legislation Passage and Background.

Scope and Content Note

Consists of the legislative drafting and lobbying process for the ADA. The creation of the text that comprises the ADA originated in the NCD publications Toward Independence in 1986 and On the Threshold in 1988. Senator Lowell Weicker and Congressman Tony Coelho were the first sponsors of the ADA in April 1988, introducing legislative bills S. 2345 and H.R. 4498 into the Senate and House of Representatives respectively. In November 1988, during the early negotiation stage of the bill, Senator Weicker lost his bid for reelection and thus the bill lost its sponsor in the Senate. Senator Tom Harkin took the helm in Weicker’s stead, with Senator Edward Kennedy joining as co-sponsor. Harkin and Kennedy redrafted the bill considerably, most notably by expanding upon the public accommodation and public transportation sections. The new draft was introduced by Harkin as S. 933 in May 1989 and passed through the Senate in September 1989. The House version of the ADA was introduced by Coelho as H.R. 2273 in May 1989, but did not pass with the same speed as the Senate version. It eventually passed in the House as S. 933 in May 1990 and the president signed the ADA into law in July 1990. The ADA is comprised of five titles that focus on defining and eliminating discrimination for the disabled. The arena of employment, public transportation, public accommodation, and telecommunications are handled in titles I to IV. Title V covers various provisions not dealt with specifically in the first four titles. Included here is establishing clarifying language for the definition of “disability”, allowing damages in potential lawsuits. One of the earliest pieces of AIDS related legislation, the Chapman Amendment regarding food handlers with communicable diseases, was passed as a concession in the House to pass the overall bill.
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Arrangement
Arranged hierarchically and then chronologically

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carton 6, folder 55  Mandatory contact tracing negotiations: analysis, report language and talking points 1988

carton 6, folder 56  Mandatory testing for marriage license negotiations: analysis, draft amendment, talking points and press clippings 1988

carton 6, folder 57  Criminalization of transmission of the disease negotiations: analysis, talking points and press clippings 1988

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carton 6, folder 62  Guidelines for AIDS Information and Education and for Personnel Management Issues, by the Office of Personnel Management 1988 March

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carton 6, folder 76  Background: School Board of Nassau Co. v. Arline 1985-1988

carton 6, folder 77  Background: Supreme Court Turns Aside Assault on 504:Summary, Analysis and Commentary, by John Parry of the Mental and Physical Disability Law Reporter 1987 March-April
**SERIES 1: LEGISLATIVE ACTIVITIES 1982-1993**

**Other Legislation 1982-1990**

**Arrangement**
Arranged hierarchically and then chronologically.

**Scope and Content Note**
Documentation of legislation leading up to and following the signing of the ADA.

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The Children’s Fund: initiative to amend the California Constitution, Re: abortion funding 1985 May-June

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**carton 7, folder 6**
S. 1077, Handicapped Transportation Amendments of 1987: draft bill 1987

**carton 7, folder 7**
H.R. 925, Family and Medical Leave Act of 1987: community organizing for target votes and meetings 1987 April 22

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A.B. 707, a law for signal and service dogs: correspondence to Mary Lou Breslin from Representative Robert Frazee 1987 May 29

**carton 7, folder 9**

**carton 7, folder 10**

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H.R. 4798, Student Default Initiative Act: Representative Martinez amendment and report language 1988 July 13

**carton 7, folder 13**

**carton 7, folder 14**
U.S. Commission on Civil Rights Amendments Act: draft bill 1989

**SERIES 2: PATRISHA A. WRIGHT PROFESSIONAL ACTIVITIES 1983-2001**

**Arrangement**
Arranged hierarchically.

**Scope and Content Note**
Consists of correspondence, congratulatory remarks, speeches and press clippings regarding Wright’s accomplishments in the disability rights movement. Includes the Presidential Citizen’s Medal, which was awarded to Wright in 2001.

**carton 7, folder 15**
Congratulatory correspondence to Patrisha A. Wright 1983-1990

**oversize 1A**
Congratulatory correspondence to Patrisha A. Wright from Justin Dart 1990

**carton 7, folder 16**
Incoming correspondence 1988-1994

**carton 7, folder 17**
Speaking engagements, conferences, events, invitations and speeches 1987-1993

**carton 7, folder 18**
Annotated draft of Stephen L. Percy book, by Patrisha A. Wright and Arlene Mayerson 1987

**carton 7, folder 19**
Vocational Education Project: commentary, proposals and community organizing, by the Center for Law and Education 1988

**carton 7, folder 20**
Disability Rights Reception: tributes and invitations 1988 December

**carton 7, folder 21**

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SERIES 2: PATRISHA A. WRIGHT PROFESSIONAL ACTIVITIES 1983-2001

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<td>Barriers to Leadership Development, Generic Leadership Issues and Example of a Leadership Development Program Undated</td>
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SERIES 3: COMMUNITY ORGANIZING BY STATE 1982-1985

- Arrangement
  - Arranged alphabetically by state and then chronologically.

- Scope and Content Note
  - Series contains state by state political activity concerning grassroots community organizing, education, and lobbying for the disability rights movement as a precursor of the NCD publication Toward Independence.

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- Arrangement
  - Arranged chronologically.

- Scope and Content Note
  - Consists of documents for the Washington, D.C. office of DREDF that revolve around the organization itself and its partnerships. Includes the ADA Gala celebration materials.

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