

# the Independent

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## Budget Cuts Point One Direction

By Chuck Stebbins,  
systems change advocate

If you have read anything on what Congress is doing, or has done recently, on domestic spending, you can see where their priorities lie. The burden is being shifted to the lower and middle class of this country. A 37.9 billion dollar cut to entitlement programs like Medicare and Medicaid, housing, and student loans is still on the chopping block. A point of interest; all of the U.S. Senate Democrats, one Independent, and five Republicans voted against passing this bill.

According to the Disability Policy Collaboration, for the first time in decades, the Congress actually provides less funding for the Departments of Health and Human Services, Education and Labor. Total FY 2006 funding is almost \$170 million lower than the FY 2005 appropriation. Disability programs that constitute more than 90 percent of all disability

discretionary spending are mostly frozen or receive small increases.

According to an ARC update on the House budget reconciliation bill, people with disabilities and their families are going to be harmed significantly if this becomes law. But there is a glimmer of hope. The reconciliation bill hit a glitch in the Senate chambers. North Dakota's very own Senator Kent Conrad slipped in a "point of order." It's some kind of technical thing only understood by lawyers. Anyway, this allowed the stripping of several non-germane provisions from the bill, changing the bill from what the House voted on. So now, before the bill can be sent to the President for his signature, it has to go back to the House for another vote. But, the House had already adjourned, and is not scheduled to come back into session until around January 31<sup>st</sup>. So get your finger on the clicker and point the mouse at the legislators' email address, because we have another run at them.

And you thought it was all over but the crying.

By the way, Minnesota Senator Norm Coleman voted for this bill, while his colleagues, North Dakota Senators Kent Conrad and Byron Dorgan, and Minnesota Senator Mark Dayton voted against it. ■

## What's Wrong With This Picture?

The parking lot at a Fargo grocery store was cleared of snow except the accessible parking space. What's wrong with that picture!



## National Disability Organizations Oppose Alito Nomination

Whenever there is an opening on the U.S. Supreme Court, ideological battles ensue. The one issue that always draws the most fire is abortion. However, there are many other things the Court decides on that are also important. One issue that usually gets little or no press is disability rights. But for those who work in this field, it is vital to the opportunity for people to be independent, productive, and equal members of society.

A number of national disability rights organizations have publicly voiced their opposition to Judge Samuel Alito's nomination to the Supreme Court. They include: Alliance of Disability Advocates, Bazelon Center for Mental Health Law, Disability Rights Education and Defense Fund, National Council on Independent Living (NCIL), World Association of People with Disabilities, and many others.

One national group, the American Association of People with Disabilities (AAPD) expressed concerns about Alito's views on disability rights, but will reserve judgment until hearings take place. AAPD is the largest national nonprofit cross-disability member organization in the United States, dedicated to ensuring economic self-sufficiency and political empowerment for the more than 56 million Americans with disabilities. AAPD works in coalition with other disability organizations for the full implementation and enforcement of disability nondiscrimination laws, particularly the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973.

"In the last decade, people with disabilities have been on the front lines in a battle over the balance of power between Congress and the states. In a series of sharply divided decisions, the U.S. Supreme Court

has evaluated Congressional authority to protect individual rights under the U.S. Constitution. Based on this new line of states' rights decisions, we are very concerned that our ability to use landmark federal legislation to challenge discrimination by state and local governments may be severely curtailed in areas ranging from voting to education to housing to transportation to participation in community life," noted Andrew Imperato, president and chief executive officer of AAPD.

NCIL wrote to U.S. Senate Judiciary Committee Chairman Spector and Ranking Member Leahy about its concerns. In part, the letter states:

"NCIL is the oldest cross-disability, national grassroots organization run by and for people with disabilities. Our membership is comprised of centers for independent living, state independent living councils, people

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# From Where I Sit

By Nate Aalgaard,  
executive director

Have you ever gone to a restaurant and there was no parking, except for a couple of spots about a block away, and the path was covered with ice and snow? And how about this? When you got in, all they had were tables for two, and you brought your whole family—six people. And what if right in the middle of your meal you had an urgent need to use the restroom, and it's closed!

If you or the person you were going to the restaurant with had a mobility impairment, you might say with assurance, "YES, something like that did happen to me." The scenario would be slightly different, but the effect the same. You pull up in your lift-equipped van and find no designated parking spots for people with disability plates, so you end up at the far end of the lot next to the driveway so you can get your lift out and not have to worry about getting blocked in when you want to leave. As you approach the front door on your cross-country trek, you notice just a hint of blue paint on the ground under the snow and ice. Unfortunately, because there is no sign, someone else parked there. But, there wasn't an access area for your lift anyway.

Next, when you finally get in, you find that the restaurant has only two lower tables, which have been taken by a large party that just arrived. Otherwise it's high tables in the bar area, or booths. Because of your wheelchair, you can't use either

one. At this point you can either go somewhere else, or wait. You wait.

After getting served you realize that you've been waiting so long you need to use the restroom. To your dismay, you find that there are no stalls you can get into. All the doors are too narrow. So you go back to your table, have a miserable time holding your bladder long enough to inhale some food, and endure a nervous and uncomfortable trip home. And for all this, you have to pay, and provide a tip to boot.

A group of us got frustrated enough with this scenario that we decided to do something. We have been working on accessibility issues for the past two years. When we started out, we thought we'd concentrate on restaurants and the occasional bar. I suppose that might be because we like going to them more than we like shopping. You have to start somewhere.

We contact the business owner or manager in person or by letter. We let them know what the access problems are, inform them of the proper regulations, and offer to provide on-site technical assistance. Once in a while, the business resolves the problem. The majority, however, just do nothing. They don't even acknowledge our correspondence. So then we get together as a group and discuss our options. Sometimes, in looking at the age of the building and judging by what the current enforcement agencies could do, we just drop the issue. But on some, we use the process that the state has put in place, and



ask the proper agency to investigate the matter.

If the agency decides to pursue an investigation, we need to sign a formal complaint. A few of our complaints have been dismissed, and two have been determined to have a probable cause of discrimination. But even many of the ones where there is no formal settlement have yielded positive results, such as proper parking signs, or a few lower tables. Last month three of us went to a meeting of the Fargo chapter of the National Federation of Independent Business (NFIB). They were having a presentation on the ADA and we were interested in what direction the meeting would be going. Some of the business owners had negative experiences dealing with access issues. We had a very productive discussion with the group, and they even invited us back. So, I guess it works. It just takes a lot of time, patience, and above all, the will to go out and make a positive difference. ■

# Gimper Hunters?

by Chuck Stebbins, systems change advocate

Those of us in the Independent Living field have been working hard and long to gain equality and inclusion into mainstream society. We've had some success, but for the most part, we haven't really cracked that hard shell of "mainstream" society attitude. Gimp hunting may just help with a little different perspective.

Two summers ago, two other gimpers and myself went to a "physically challenged" hunt put on by a local hunting club to see just exactly what it was all about. Now, when you think about it, everyone out there was "physically challenged" in some way, shape or form, not just us gimpers, but we deal with the terms as they come and go I guess. There was quite an assortment of folks with physical disabilities; spinal cord injuries, MS, CP, and a few blind guys. You ain't seen nothing till you've seen a blind guy shoot an aspirin with a crossbow.

Now-a-days people with physical disabilities are doing some pretty wild and risky things. Quad Rugby is getting to be popular again because of the documentary Murder Ball...watching a bunch of gimpers smacken into one another with full wheelchair armor is truly a sight to behold. People in wheelchairs are climbing mountains. Ed Roberts swam with dolphins, and guys on ventilators are sky diving...those vent guys are just plain crazy... "yea Bert, just give me 15 minutes of air, strap me to your belly, and I'll jump out of that perfectly good airplane with ya!"

Gimp Hunting though, can put a significant twist on the whole equality thing. But, in order to make gimp hunting a bit more fair and sporting, we have to do a few things. First, you would have to make the woods accessible to accommodate wheelchairs, crutches, 3 wheeled carts, and whatever other contraptions gimpers can dream up. Paths would have to be cut out along a pre-determined route, and then paved over to maximize the amount of speed for wheelchairs. Second, power chairs would have to be available for those gimpers who really want to make the gimp hunters work for it. Of course, if our blind and deaf brothers and sisters cared to join the fun, we would have to provide Braille signs and interpreters along the way. And by the way, none of this paint ball wimp splatter crap, no sir re bob...full blown, all out, shoot em up war, with real guns! Because you know, us gimpers like guns and ammo just as much as the next guy. Third, in order to achieve maximum equality and fairness for all, the gimpers would have to be armed! Yes, armed, preferably with semi-automatics and maybe a couple of hand grenades. Finally, I would like to offer this option. The gimpers would be allowed the advantage of camouflage, while the gimp hunters would have to wear blaze orange. Now, this is only an option. If all parties did not agree, we could forgo that accommodation; we certainly don't want one side gaining an unfair advantage.

Of course the very thought of hunting gimpers is a ludicrous one, but I cannot shake the thought that there is a certain segment of our currently screwed up society that thinks it would not be such a bad idea...no gimpers, less stress on the system, less stress on tax payer

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## New Employees

Left: Rikki Trageton,  
IL Advocate

Right: Terese Coverstone,  
Information Specialist



# Nomination Continued...

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with disabilities and other disability rights organizations. As a membership organization, NCIL advances independent living and the rights of people with disabilities through consumer-driven advocacy. NCIL envisions a world in which people with disabilities are valued equally and participate fully.

"Judge Alito's 15-year track record on the Third Circuit Court of Appeals compels NCIL to formally oppose a U.S. Supreme Court nominee for the first time. Judge Alito's apparent hostility to the *Olmstead* precedent, his activist attacks on Congress' power to enact key civil rights legislation that would endanger laws such as the Americans with Disabilities Act, and his discomfort with enforcement of key safeguards in the Medicaid statute make his confirmation a grave and direct threat to the civil rights of persons with disabilities.

A key part of our work is to eliminate the institutional bias of

Medicaid by moving persons with disabilities out of institutions and into community settings so they can control their own destinies and live independently..."

NCIL's letter concludes: "Our commitment to the belief that people with disabilities are to be valued as equals in American society requires that we take an unprecedented act in our 23-year history to formally, and without reservation, oppose a nominee to the Supreme Court of the United States. We strongly and without hesitation urge you to reject this nomination. By doing so, you would send a message to President Bush that he needs to nominate judges committed to honoring his father's legacy by upholding the Americans with Disabilities Act and guaranteeing access to the courts for persons with disabilities to vindicate their fundamental rights."

For more in-depth information, visit this web site:

<http://www.adawatch.org/>

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dollars, money stretching further, what could be wrong with that. Of course the rational people among us would say that's just plain silly.

So, in this age of political correctness coming to the point of nausea, and some "free thinking" their way right into believing in nothing...some of us in the disability community would like to say, "load me up Homer, we're going hunting!"

The point is, it will take an extreme amount of effort to create equality for people with disabilities. For those that never will get it, here's an opportunity to kill or be killed by the very people they call a burden. We're looking to shatter that attitudinal barrier that continues to plague the disability community. Help us out, support your local Gimp Hunter today. ■

## Information

In an attempt to reduce the cost of mailings please send your email address to [freedom@freedomrc.org](mailto:freedom@freedomrc.org)

If you would like to be removed from our mailing list please call 701-478-0459 or 1-800-450-0459.

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Alternate formats available upon request.

## Leave a Legacy

By including Freedom Resource Center in your will, your commitment toward equality and inclusion for people with disabilities lives on. In recent years, donors have included a gift to Freedom Resource Center in their wills or other estate plans. These gifts will have a tremendous impact on our ability to create a society where ALL individuals with disabilities are valued, respected, and have equal opportunity, access, responsibility, and freedom of choice in all aspects of their lives. We appreciate your support. Thank you.

If you would like information on how to include Freedom Resource Center in your will, please contact us.

## Consumer story

This is a story written by Amanda Krause. She has had a constant battle with her school system and remaining in her home. This is a two part piece, the spring issue will be the conclusion to Amanda's story.

When I think far back, the first time that I can remember of having a hard time getting services was right after I went into my wheelchair. I was in the 3rd grade and by then they knew I had Friedrich's Ataxia, a progressive neuromuscular disease. I remember my mom telling me there was going to be a meeting because the school wanted me to be sent to another school. I was the only one in my school who used a wheelchair. I did not want to go to another school because I did not want to leave my friends and classmates. The next few years were really hard because my mom told them I was not going to change schools. Even after things got really bad, I still did not want to leave. My mom told me the choice was mine. I wanted to stay in my school. I remember having to go to detention over noon hour because I could not get to the playground over noon hour, my mom was so mad. There was so much work to do at my school. They had no buses with a lift, there were steps that went to the lunchroom, so I had to eat in my classroom. Classmates took turns eating with me. Once when we had a meeting about this, I had not said anything ever before, I got very upset and started to cry and yell at everyone... I WANT TO STAY HERE,. I DO NOT WANT TO GO TO ANOTHER SCHOOL!

Well, now I am a senior. Some of the things that happened should have never happened. Now they have a lift to the lunchroom, they have an accessible playground, and they have an accessible door in the front of the building, even the mirrors are lowered. When the school began discussing the plans for graduation, it was decided to have other classmates lift me on stage. I agreed with it only because I didn't want anyone to get mad or add stress on my graduation, but it was not what I wanted. I have wanted a ramp because I am in school plays and I really did not like to be lifted up. I didn't want the people who were lifting me to guess my weight. Well, at this one meeting, the Freedom advocate went off like a bomb. I didn't have to say a word. She told them I had a right to go and get my diploma independently on stage like everyone else. They didn't even argue with her. They are putting up a ramp. I am glad I stayed there. All these changes happened because of me, so I feel I was helping the student who may come behind me. That student can now pick up where I left off.

If this story sounds familiar or you know some one who is struggling to get the services they deserve in school, please contact the Freedom Resource Center, and someone from the Children and Youth Services Task Force will get in touch with to help advocate with you...just like we've done with Amanda! ■

Waking the Sleeping Giant non-profit organizing effort continues. The next large group meeting will be January 25<sup>th</sup> from 3:30 to 5:00 at the YWCA on University in Fargo. If you would like to be involved in affecting social change, please join us. For more information, you can call Chuck Stebbins, here at Freedom, or contact PEPP at 218.236.5434 and ask for Duke or Lysa .

# Gift Card

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Please Check if you are interested in:

- Volunteering at Freedom Resource Center
- Have a Freedom Resource Center staff member speak to your group

I would like my contribution:

- To be used wherever needed
- Endowment
- In memory/honor of

Your thoughtful gift will be acknowledged to the person(s) indicated:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

- Please check if you do not want your name published as a contributor

Enclosed is my tax deductible donation:

- \$100
- \$50
- \$25
- \$10
- Other

Thank you for supporting Freedom Resource Center

## ADA tip

One of the biggest problems during the holiday season for people with disabilities is the “disappearing” aisle width in stores. With ever-expanding stacks of sales items crowding narrow aisles, along with portable merchandise displays, it becomes difficult, if not impossible, for people who use wheelchairs and walkers (not to mention parents with strollers) to get through the store. The Americans with Disabilities Act of 1990 (ADA) states that aisles need to be a minimum of 36 inches wide in order to provide access for all people to be able to shop independently.

## Broken Wheels Revisited

In our last issue of The Independent (Fall 2005, Vol 13, Issue 04), Chuck Stebbins, Freedom Resource Center Systems Change Advocate, shared his experience flying to Washington DC. The Department of Transportation (DOT) recently completed its first review of disability-related complaints to airlines. Of the more than 10,190 complaints airline passengers with disabilities filed in 2004, about two-thirds involved wheelchairs. In addition to generally inadequate assistance, passengers also complained of damaged chairs, poor seating accommodations, inaccessible aircraft and prolonged waits for stored chairs upon landing.

The U.S. Department of Transportation has established a toll-free hotline to assist travelers with disabilities. The hotline will provide general information to consumers about the rights of air travelers with disabilities, respond to requests for printed consumer information, and assist air travelers with time-sensitive disability-related issues that need to be addressed in “real time.” The line is staffed from 7 a.m. to 11 p.m. Eastern time, seven days a week. Air travelers who experience disability-related air travel service problems may call the hotline at **1-800-778-4838** (voice) or **1-800-455-9880** (TTY) to obtain assistance. As in the past, air travelers who would like DOT to investigate a complaint about a disability issue must submit their complaint in writing or via e-mail. ■



2701 9th Ave. S • Fargo, ND 58103

**Return Service Requested**

The Mission of Freedom Resource Center for Independent Living is to work toward equality and inclusion for people with disabilities through programs of empowerment, community education and systems change.

We envision a society where ALL individuals are valued, respected and have equal opportunity, access, responsibility, and freedom of choice in all aspects of life.

For Sale: Rolex Conversion Van. 1998 Dodge Grand Caravan SE with lowered floor and power wheelchair ramp. Kneeling system. Remote control door and ramp. Quick release front seats. Wheelchair tie-downs. Only 51,000 miles. Well maintained. One owner. \$15,000 or best offer

Breezy 150 Manual Wheel chair. 18 x 18 seat, including ROHO cushion. Contour backrest with removable head support. Swing away leg rests. 2 years old. \$300. Hospital Bed \$300.

Call 701-298-8781

### What some people say...

**"I'm not going to cut their services I'm just going to put them in the nursing home."** *Governor Phil Bredesen of Tennessee on what he plans to do with Ventilator users and the cuts to their services.*

**"No one is against the handicapped, but we cannot make life normal for people who have bodies that do not work properly. The question of how much money we should spend trying to make life normal is one I wouldn't want to have to answer."**

*Andy Rooney*