

## CONCLUSION

In conclusion, there is a compelling need to provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities and for the integration of persons with disabilities into the economic and social mainstream of American life. Further, there is a need to provide clear, strong, consistent, enforceable standards addressing discrimination against individuals with disabilities. Finally, there is a need to ensure that the Federal Government plays a central role in enforcing these standards on behalf of individuals with disabilities.

The difficult task before the Committee and, indeed, before the Congress, is to establish standards that fulfill this mandate in a clear, balanced, and reasonable manner. The Committee believes that this legislation has done that. This report explains in detail how that balance has been struck.

## V. SUMMARY OF COMMITTEE ACTION

H.R. 2273 was brought before the Education and Labor Committee for open markup on November 9, 1989. The markup was commenced but not concluded on that date. Mr. Owens offered an amendment in the nature of a substitute prior to the adjournment of the session.

The markup was resumed on November 15, 1989, at which time Mr. Owens offered an amendment in the nature of a substitute to be considered as an original bill for the purpose of amendment. Twelve amendments to this substitute were offered, all of which were defeated. The Committee voted to adopt and report H.R. 2273, as an amendment in the nature of a substitute, by a roll call vote of 35-0.

## VI. EXPLANATION OF THE LEGISLATION

### DEFINITION OF THE TERM "DISABILITY"

Section 3(2) of the legislation defines the term "disability" for purposes of this legislation. The definition of the term "disability" included in the bill is comparable to the definition of the term "individual with handicaps" in section 7(8)(B) of the Rehabilitation Act of 1973 and section 802(h) of the Fair Housing Act.

It is the Committee's intent that the analysis of the term "individual with handicaps" by the Department of Health, Education, and Welfare of the regulations implementing section 504 (42 Fed. Reg. 22685 et seq. (May 4, 1977)) and the analysis by the Department of Housing and Urban Development of the regulations implementing the Fair Housing Amendments Act of 1988 (54 Fed. Reg. 3232 et seq. (Jan. 23, 1989)) apply to the definition of the term "disability" included in this legislation.

The use of the term "disability" instead of "handicap" and the term "individual with a disability" instead of "individual with handicaps" represents an effort by the Committee to make use of up-to-date, currently accepted terminology. In regard to this legislation, as well as in other contexts, the Congress has been apprised of the fact that to many individuals with disabilities the terminology applied to them is a very significant and sensitive issue.