



**CONSORTIUM FOR CITIZENS  
WITH DISABILITIES**

September 7, 2017

The Honorable Bob Goodlatte  
Chair, House Judiciary Committee  
2309 Rayburn House Office Building  
Washington, DC 20515

The Honorable John Conyers  
Ranking Member, House Judiciary Committee  
2426 Rayburn House Office Building  
Washington, DC 20515

Re: **UPDATED with additional signatories – (9/2017)** – Consortium for Citizens with Disabilities and Allies Letter of Opposition to the Americans with Disabilities Act Education and Reform Act of 2017 (H.R. 620)

Dear Chair Goodlatte and Ranking Member Conyers:

The undersigned **236** members of the Consortium for Citizens with Disabilities (CCD) and allies of CCD write in opposition to the ADA Education and Reform Act of 2017 (H.R. 620). The Consortium for Citizens with Disabilities (CCD) is the largest coalition of national organizations working together to advocate for Federal public policy that ensures the self-determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society.

H.R. 620 would create significant obstacles for people with disabilities to enforce their rights under Title III of the Americans with Disabilities Act (ADA) to access public accommodations, and would impede their ability to engage in daily activities and participate in the mainstream of society. Rather, the burden of protecting the right to access a public place is shifted to the person with the disability, who first has to be denied access; then must determine that violations of the law have occurred; then must provide the business with specific notice of which provisions of the law were violated and when; and finally, the aggrieved person with the disability must afford the business a lengthy period to correct the problem.

The bill's proponents purport to protect business owners from the burden of understanding and complying with rules designed to ensure that people with disabilities could access public accommodations, on the ground that this burden is too heavy for businesses. Yet *people with disabilities* are expected to shoulder this burden and to provide businesses with information about the specific legal obligations that they are violating—*after* those individuals have been denied the access rights that Congress

gave them decades ago. We know of no other law that outlaws discrimination but permits entities to discriminate with impunity until victims experience that discrimination and educate the entities perpetrating it about their obligations not to discriminate. Such a regime is absurd, and would make people with disabilities second-class citizens.

Almost 27 years ago, the ADA was carefully crafted as a bipartisan compromise to take the needs of covered entities, including the types of businesses covered by Title III, into account. Among the compromises reflected in the ADA was the absence of any damage remedy in Title III; only injunctive relief and attorney's fees are available for violations of this part of the law. The fact that, almost 27 years after enactment, there are still organizations, businesses, and companies who violate the law and deny access to people with disabilities suggests that businesses should be better educated about their legal obligations under the ADA—just as they are expected to be about the other legal obligations that they undertake in running a business—not that we should limit the rights of people with disabilities to participate in their communities.

Section 2 of this bill states that the bill was written in *consultation with ... and representatives of the disability rights community*. But H.R. 620 was not written in consultation with representatives of the disability rights community and it would create barriers to the civil rights for persons with disabilities that do not exist in other civil rights laws.

As was mentioned earlier, the ADA has been law for almost 27 years. By this time, business owners have had ample notice of the ADA's requirements and opportunity to remove barriers. If, after 27 years, a business has continued to not comply with the requirements of this legislation, why should a person have to wait more time for enforcement of their civil rights? Should an individual who is not allowed to enter a restaurant because of their race, gender or religion, have to wait before seeking to enforce their civil rights? Title III of the ADA already reflects a compromise that takes into account the concerns of businesses; it does not allow individuals to seek damages for violations of their civil rights. Now legislation like H.R. 620 seeks to further erode the civil rights of people with disabilities

We look forward to an opportunity to speak with you and your staff about our concerns. As H.R. 620 would erode the civil rights of people with disabilities, we must oppose this legislation. Please contact Dara Baldwin, Senior Public Policy Analyst, National Disability Rights Network, at [dara.baldwin@ndrn.org](mailto:dara.baldwin@ndrn.org) or (202) 408-9514 ext. 102 or Jennifer Mathis, Director of Policy and Legal Advocacy, Bazelon Center for Mental Health Law, at [jenniferm@bazelon.org](mailto:jenniferm@bazelon.org) or (202) 467-5730 ext. 1313, with any questions.

Sincerely,

Advance CLASS Inc.  
American Association of People with Disabilities (AAPD)  
American Association on Health and Disability  
American Civil Liberties Union (ACLU)  
American Council of the Blind (ACB)  
American Dance Therapy Association  
American Foundation for the Blind (AFB)  
American Network of Community Options and Resources  
American Psychological Association (APA)  
Association of Assistive Technology Act Programs  
Association of University Centers on Disabilities (AUCD)  
Autistic Self Advocacy Network (ASAN)  
Bazelon Center for Mental Health Law  
Brain Injury Association of America  
Center for Public Representation  
Christopher & Dana Reeve Foundation  
Council of Parent Attorneys and Advocates, Inc. (COPAA)  
Disability Rights and Education Fund (DREDF)  
Easterseals  
Epilepsy Foundation  
Institute for Educational Leadership (IEL)  
Jewish Federations of North America  
Justice in Aging  
Learning Disabilities Association of America  
Lutheran Services in America Disability Network  
National Alliance on Mental Illness  
National Association of Councils on Developmental Disabilities (NACDD)  
National Association of State Head Injury Administrators  
National Center for Learning Disabilities (NCLD)  
National Council on Independent Living (NCIL)  
National Disability Institute (NDI)  
National Disability Rights Network (NDRN)  
National Down Syndrome Congress (NDSC)  
National Health Law Program  
National Multiple Sclerosis Society  
Paralyzed Veterans Association (PVA)  
Parent2Parent USA  
TASH  
The Advocacy Institute  
The Arc of the United States  
U.S. International Council on Disabilities (USICD)  
United Cerebral Palsy (UCP)  
United Spinal Association  
Vietnam Veterans of America

## **Allies of CCD**

9to5, National Association of Working Women  
Ability 360  
*Ability1st* is the Center for Independent Living of North Florida, Inc.  
ACCESS for the Disabled, Inc.  
Access Living  
ADAPT (National)  
ADAPT Montana  
ADAPT of Texas  
AFL-CIO  
Alaska State Independent Living Council  
Anti-Defamation League  
Association of Programs for Rural Independent Living (APRIL)  
Arizona Center for Disability Law  
Arizona Disability Coalition  
Arkansas State Independent Living Council (ARSILC)  
Atlantis Community, Inc.  
Autism Women's Network  
Black Women's Roundtable  
BNICEH 'be nicer" (Black Network In Children's Emotional Health)  
Boston Center for Independent Living  
Brain Injury Alliance of Arizona  
Brazoria County Center for Independent Living  
Brooklyn Center for Independence of the Disabled  
Bronx Independent Living Services  
California Disability Alliance (CDA)  
California Foundation for Independent Living Centers (CFILC)  
Californians for Disability Rights  
Center for Disability Rights  
Center For Independence of Individuals with Disabilities  
Center for Independence of the Disabled, New York  
Center for Independent Living of the Keys  
Children's Advocacy Institute  
Coalition for Truth Independence  
Communities Actively Living Independent & Free (CALIF)  
Community Legal Aid Society, Inc.  
Community Resources for Independent Living  
Connecticut Legal Rights Project, Inc.  
Dayle McIntosh Center  
DC Advocacy Partners  
DIRECT Center for Independence  
Disabilities Resource Center of Siouland  
DisAbility Advocacy and Access Network, Inc.

Disability Network Southwest Michigan  
Disability Policy Consortium of Massachusetts  
Disability Power & Pride  
Disability Rights Arkansas (DRAR)  
Disability Rights Center - CA  
Disability Rights Center – NH  
Disability Rights Iowa (DRIA)  
Disability Rights Maine (DRME)  
Disability Rights Maryland (DRMD)  
Disability Rights Mississippi (DRMS)  
Disability Rights New Jersey (DRNJ)  
Disability Rights Pennsylvania (DRPA)  
Disability Rights Tennessee (DRTN)  
Disability Rights Vermont (DRVT)  
Disability Rights Washington (DRWA)  
Disability Rights Wisconsin (DRWI)  
Ecumenical Ministries of Oregon  
Enterprise Community Partners  
Faith Voices Arkansas  
Families and Friends of Louisiana’s Incarcerated Children  
Family Equality Council  
Florida Alliance for Assistive Services and Technology, Inc.  
FORGE, Inc.  
Fort Bend Center for Independent Living  
FREED Aging & Disability Resource Connection  
Grassroots Global Justice Alliance  
Green Think Tank for the Disability Community  
Grounded Solutions Network  
Housing Choice Partners  
Houston Center for Independent Living  
Human Rights Campaign  
Idaho Federation of Families for Children’s Mental Health  
Idaho State Independent Living Council  
IHSS Consumers Union  
Illinois-Iowa Center for Independent Living  
IMPRUVE (Independent Movement of Paratransit Riders for Unity, Vehicles, Equality)  
Independence Associates, Inc.  
Independence First  
Independent Connection, Inc.  
Independent Living Center of Hudson Valley  
Independent Living Center of Southern California  
Iowa Statewide Independent Living Council  
Jewish Council for Public Affairs  
Jewish Federation of Metropolitan Chicago

Justice for Families  
Juvenile Law Center  
Kentucky Protection & Advocacy  
Lakeshore Foundation  
Leadership Conference on Civil and Human Rights  
Legal Action Center  
Little People of America  
Living Independence Network Corp. (LINC)  
Living Independently for Today and Tomorrow  
Louisiana Center for Children's Rights  
Maryland Alliance of Disability Commissions & Committees  
Mayor's Office for People with Disabilities, City of Chicago  
Mazzoni Center  
Mile High Connects  
MommieActivist and son  
NAACP Legal Defense and Educational Fund, Inc (LDF)  
National Action Network (NAN)  
National Association for the Advancement of Colored People (NAACP)  
National Association of Human Rights Workers  
National Association of Social Workers/Texas Chapter  
National Association of the Deaf (NAD)  
National Bar Association (NBA)  
National Black Justice Coalition  
National Center for Lesbian Rights  
National Center for Transgender Equality  
National Coalition for the Homeless  
National Coalition of Mental Health Recovery (NCMHR)  
National Coalition on Black Civic Participation  
National Council of Churches  
National Council of Jewish Women  
National Fair Housing Alliance  
National Federation of the Blind  
National Housing Law Project  
National Juvenile Justice Network (NJJN)  
National LGBTQ Task Force Action Fund  
National Low Income Housing Coalition (NLIHC)  
National Organization of Nurses with Disabilities (NOND)  
National Youth Advocate Program, Inc.  
Native American Disability Law Center, Inc.  
NETWORK Lobby for Catholic Social Justice  
New Jersey Parents Caucus, Inc.  
New York Association of Psychiatric Rehabilitation Services (NYAPRS)  
New York Association on Independent Living  
New York State ADAPT

New York State Independent Living Council  
North Dakota Protection & Advocacy Project  
Northern West Virginia Center for Independent Living  
Not Dead Yet  
OHIO SILC  
One Billion Rising  
Oregon Walks  
Paraquad  
Pennsylvania Council for Independent Living  
Pennsylvania Council of Churches  
Pennsylvania Council of the Blind  
Personal Attendant Coalition of Texas  
PolicyLink  
Portlight Strategies  
REACH Resource Centers on Independent Living-Fort Worth, Dallas, Denton & Plano, TX  
Regional Center for Independent Living (Rochester, NY) All About You Homecare  
Resource Center for Accessible Living  
Rochester ADAPT  
Services Maximizing Independent Living and Empowerment (SMILE)  
Sign Faith Voices AR  
SKIL Resource Center in Parsons, KS  
South Carolina Christian Action Council  
Southwestern Center for Independent Living (SWCIL)  
Statewide Independent Living Council of Illinois  
Summit Independent Living  
Texas Disability Project/ REV UP Texas  
The ADA Legacy Project  
The Advocacy Center of Louisiana  
The Advocrat Group  
The Center for Independence of the Disabled  
The Coalition for Juvenile Justice (CJJ)  
The Community of LGBT Centers  
The Daniel Initiative  
The District of Columbia Center for Independent Living, Inc.  
The Freedom Center, Inc.  
The IMAGE Center of Maryland  
The Independence Center  
The League  
The League for People with Disabilities  
The Maryland Coalition of Families  
The National Association of Counsel for Children  
The National Association of Social Workers (NASW)  
The National Crittenton Foundation  
The Nebraska Statewide Independent Living Council

The North Country Center for Independence in Plattsburgh  
The Partnership for Inclusive Disaster Strategies  
The Reformed Church in America  
The Starkloff Disability Institute  
Transformative Justice Coalition  
Union for Reform Judaism  
United Way of the Ouachitas, Hot Springs, Arkansas  
V-Day  
Vermont Coalition for Disability Rights (VCDR)  
Vermont SILC  
Vermonters for Criminal Justice Reform  
Virginia Council of Churches  
W. Haywood Burns Institute  
Washington State Independent Living Council (WA SILC)  
West Virginia State Independent Living Center, Inc.  
White Apple Institute  
Wisconsin Coalition of Independent Living Centers, Inc.  
Witness to Mass Incarceration  
Women Who Never Give Up