June 23, 2008

Dear Representative:

The House is poised to consider H.R. 3195- the "ADA Amendments Act" this week. We write to request your support for this bill and urge you to oppose any amendments to the underlying bill.

We believe the ADA Amendments Act will secure the promise of the original Americans with Disabilities Act of 1990 (ADA). The ADA has as its fundamental goal the inclusion of people with disabilities in all aspects of society, including employment for people who are willing and able to work despite their disabilities. Unfortunately, court decisions over the last decade have excluded individuals who should have been covered under the current ADA law. These narrow court interpretations have restricted ADA coverage for people with diabetes, epilepsy, serious heart conditions, mental disabilities and even cancer.

A broad cross-section of both the employer and disability communities support the delicate balance the ADA Amendments Act strikes between the needs of individuals with disabilities and those of employers. The legislation includes the following key provisions:

- **Coverage under the ADA -** The ADA Amendments Act clarifies that Congress intended the ADA's coverage to be broad, to cover anyone who faces unfair discrimination because of a disability.

- **Definition of Disability** - The ADA Amendments Act retains the requirement that an individual's impairment substantially limits a major life activity in order to be considered a disability and an individual must demonstrate that he or she is qualified for the job.

- **Protection for Mitigating Measures** - The ADA Amendments Act would overturn several court decisions to provide that people with disabilities not lose their coverage under the ADA simply because their condition is treatable with medication or can be addressed with the help of assistive technology.

- **Regarded As** - The ADA Amendments Act includes a "regarded as" prong as part of the definition of disability which covers situations where an employee is discriminated against because of his or her actual or perceived impairment. Moreover, the proposal makes it clear that accommodations do not need to be made to someone who is disabled solely because he or she is "regarded as" disabled.

We firmly support this legislation as written and reiterate our opposition to any changes to the underlying bill on the House floor. As you know, the House Committees

on the Judiciary and Education and Labor both reported the ADA Amendments Act by overwhelming votes on June 18, 2008.

We thank you for addressing this important issue and look forward to working with the House of Representatives to secure its passage this year.

Sincerely,

American Association of People with Disabilities
American Diabetes Association
Bazelon Center for Mental Health Law
Epilepsy Foundation
HR Policy Association
International Franchise Association
Leadership Conference on Civil Rights
National Association of Manufacturers
National Disability Rights Network
National Council on Independent Living
National Restaurant Association
Society for Human Resource Management
U.S. Chamber of Commerce