

## **Subject: Urgent Action Alert: Sponsors Needed for the ADA Restoration Act**

### **Support Needed Now to Restore ADA Rights**

July 25, 2007—On July 26, the 17th anniversary of the enactment of the Americans with Disabilities Act, House Majority Leader Steny Hoyer (D-MD) and Congressman James Sensenbrenner (R-WI) will introduce the ADA Restoration Act of 2007.

Before 1990, citizens with disabilities were subjected to discrimination, stereotyped and treated like a second-class citizens. The Americans with Disabilities Act of 1990 changed all that. Finally the people with disabilities were treated as a member of our communities.

The Americans with Disabilities Act of 1990 was meant to be interpreted broadly but instead has been interpreted narrowly. Court decisions have slowly chipped away at the rights of people with disabilities under the ADA, creating a Catch-22 that allows employers to say a person is "too disabled" to do the job but "not disabled enough" to be protected by the law.

For example: People with conditions like mental illness, epilepsy, diabetes, HIV, cancer and hearing loss who manage their disabilities with medication, prosthetics, hearing aids, etc. - or "mitigating measures" - are viewed as "too functional" to have a disability, and as a result, their cases are thrown out of court.

Many people who are trying to work despite having a disability are not being given a fair chance. When they go to court with a claim of discrimination, [a court that says they do not even have disability and are not eligible for coverage under the Americans with Disabilities Act -] even when they have been fired or refused employment because of their disability, the court treats them unfairly again!

The ADA needs to cover the people the U.S. Congress originally intended it to cover when it was passed in 1990. People with mental illnesses, epilepsy, diabetes, multiple sclerosis, intellectual and developmental disabilities, cancer, hearing loss, etc. Congress should correct this to ensure that the courts will interpret the ADA fairly, and as Congress intended in 1990.

Many voices and advocates are needed now to help Congressmen Hoyer and Sensenbrenner gather as many co-sponsors as possible to show strength and support for this effort.

Please Act Now! Do the following:

\* Call your Representative immediately at 202-224-3121 and ask him or her to become an original co-sponsor of the ADA Restoration Act of 2007. (You can also get a direct phone number or email at [www.congress.org](http://www.congress.org). or <http://www.visi.com/juan/congress/cgi-bin/newseek.cgi?site=ctc&state=pa>)

\* Ask your Representative (or the staff member you speak to) to contact Representative Hoyer's (ext. 5-3130) or Sensenbrenner's (ext. 5-5101) office today to sign on as an original co-sponsor.

\* Forward this Action Alert to your network to get as many people as possible to call/email their House member immediately with the same message. A copy of this letter can be found on our website at [www.dhcc.org/links](http://www.dhcc.org/links). Go to latest advocacy news.

**What if you miss Thursday's deadline? Not to worry! Co-sponsors will still be needed after July 27th; so do call your Representative's office.**

Here are talking points on the [ADA Restoration Act](http://www.bazelon.org/takeaction/2007/ADARestore_TPs.htm), which can be found at [http://www.bazelon.org/takeaction/2007/ADARestore\\_TPs.htm](http://www.bazelon.org/takeaction/2007/ADARestore_TPs.htm) and, below, a sample telephone message for seeking original cosponsors:

"Hi. My name is \_\_\_\_\_ and I live in \_\_\_\_\_. I would like Representative \_\_\_\_\_ to be an original cosponsor of the ADA Restoration Act of 2007. A Dear Colleague letter was just sent to you on Friday, July 20 from Representatives Hoyer and Sensenbrenner to let you know that they will be introducing the ADA Restoration Act this Thursday, July 26, the 17th anniversary of the original enactment of the ADA.

**Sample Telephone/Email Message for use AFTER JULY 26 seeking Cosponsors:**

"Hi. My name is \_\_\_\_\_ and I live in \_\_\_\_\_. I need Representative \_\_\_\_\_ to cosponsor the ADA Restoration Act of 2007. Seventeen years ago, the ADA was passed with overwhelming bipartisan support, yet people with disabilities are still being treated unfairly. People with disabilities are in a no-win situation. Employers can say that I am/they are "too disabled" to perform my/their job, but "not disabled enough" to be protected by the ADA. This is wrong! Restore the ADA and restore the rights of people with disabilities, including Deaf and hard of hearing people. Please cosponsor HR \_\_\_\_\_."

The ADA Restoration Act of 2007 would correct this injustice. This legislation restores the basic right of people who have a disability to be judged based on performance – just like women, minorities, and the rest of the American workforce.