

April 10, 2018

The Honorable Mitch McConnell
Senate Majority Leader
Washington, DC 20510

The Honorable Chuck Schumer
Senate Minority Leader
Washington, DC 20510

Dear Leaders McConnell and Schumer:

We, the 55 undersigned organizations representing the national Jewish community, work with and on behalf of individuals with disabilities to promote a fully inclusive society. We oppose any effort to roll-back the seminal protections provided by the Americans with Disabilities Act (ADA), and we believe that that the ADA Education and Reform Act (H.R. 620), recently passed by the House of Representatives by a narrow margin, would significantly undermine the civil rights of individuals with disabilities. We urge you not to bring this or any other similar legislation with a “notice and cure” provision, up for Senate consideration.

When President George H.W. Bush signed the Americans with Disabilities Act in 1990 he said, “Let the shameful wall of exclusion finally come tumbling down.” Today, our society is more open and accessible to individuals with disabilities than ever before, and the ADA has become a global model for disability access and inclusion. H.R. 620 would frustrate this progress by undermining the ADA. The bill would impose new burdens on individuals with disabilities before they can file a civil action for an accessibility violation in a Title III public accommodation case. It would eliminate any incentive for businesses to proactively comply with the ADA.

Under H.R. 620, an individual with a disability who seeks to challenge a public accommodation violation would have to wait months before being able to file a civil action with the U.S. Department of Justice or the federal courts. This would represent a stark departure from the immediate injunctive relief currently available under the ADA. No other federal civil rights law permits owners and operators of public accommodations to violate the law without consequence. No other federal civil rights law prohibits victims of discrimination from enforcing their rights until they notify the covered entity that it is violating the law. Individuals with disabilities should not have to wait months before enforcing their civil rights under the ADA.

The ADA was carefully crafted as a bipartisan compromise to account for the needs of covered entities, including small businesses. Among the compromises agreed to at the time was the absence of a damage remedy for Title III; only injunctive relief and attorney’s fees are available for ADA Title III violations. Twenty-eight years after enactment, we should not be limiting the rights of people with disabilities to challenge these violations.

The Torah teaches us that every human being is created in the image of God. Based on this teaching, we promote an inclusive society for individuals with disabilities, one that embraces *Chesed* (loving kindness). Accordingly, we believe that H.R. 620 is a major step in the wrong direction. We urge you to support progress made under the ADA and oppose H.R. 620 or any similar legislation introduced in the Senate.

If you have any questions about the ADA Education and Reform Act, please contact Stephan Kline at Stephan.Kline@JewishFederations.org.

Sincerely,

Agudath Israel of America ** American Conference of Cantors ** American Zionist Movement
** Anti-Defamation League ** Association of Directors of Community Agencies for Jewish
Education ** Association of Jewish Aging Services ** Avodah ** BBYO ** Bend the Arc
Jewish Action ** Bet Tzedek ** B'nai B'rith International ** Bnai Zion Foundation ** Cantors
Assembly ** Central Conference of American Rabbis ** Foundation for Jewish Camp **
Gateways: Access to Jewish Education ** Grand Board of the Aleph Zadik Aleph ** Hadassah:
The Women's Zionist Organization of America ** Hazon ** Inclusion Innovations **
International Board of the B'nai B'rith Girls ** JCC Association of North America ** Jewish
Alliance for Law and Social Action ** Jewish Association for Developmental Disabilities **
Jewish Council for Public Affairs ** Jewish Deaf Resource Center, Inc. ** Jewish Democratic
Council of America ** The Jewish Federations of North America ** Jewish Labor Committee
** Jewish Learning Venture ** Jewish Service for the Developmentally Disabled ** Jewish
Women International ** Judith Creed Horizons for Achieving Independence (JCHAI) ** Keshet
** Matan ** Men of Reform Judaism ** Mt. Sinai Health Care Foundation ** National
Association of Jewish Legislators ** National Council of Jewish Women ** Network of Jewish
Human Service Agencies ** Orthodox Union ** Rabbinical Assembly ** Rabbinical Council of
America ** Reconstructing Judaism ** Reconstructionist Rabbinical Association ** Sigma
Alpha Mu Fraternity ** Sulam ** Truah: The Rabbinic Call for Human Rights ** Union for
Reform Judaism ** United Synagogue for Conservative Judaism ** Women of Reform Judaism
** Women's Rabbinic Network ** Yachad, The National Jewish Council for Disabilities ** Yad
HaChazakah-The Jewish Disability Empowerment Center Inc. ** Zeta Beta Tau Fraternity