



June 24, 2008

RE: Support the ADA Amendments Act of 2008

Dear U.S. House Representative:

On behalf of the Brain Injury Association of America (BIAA), our national network of state affiliates, and hundreds of local chapters and support groups from across the country, I am writing to urge you to pass H.R. 3195, *The ADA Amendments Act of 2008*, as reported out of committee.

The Brain Injury Association of America joins the Consortium for Citizens with Disabilities (CCD) – a coalition of over 100 national consumer, advocacy, provider, and professional organizations who advocate on behalf of people of all ages with physical and mental disabilities and their families – in commending the U.S. House Judiciary and House Education and Labor Committees for overwhelmingly supporting *The ADA Amendments Act of 2008* last week. This legislation also has the support of the nation’s most prominent business trade organizations – including the U.S. Chamber of Commerce, the National Association of Manufacturers, Society for Human Resource Management and HR Policy Association.

As you consider this legislation on the House floor this week, the Brain Injury Association of America urges you to help secure the promise of the Americans with Disabilities Act (ADA) by passing H.R. 3195, *The ADA Amendments Act of 2008*, as reported out of committee, without amendments, including no motion to recommit.

The Americans with Disabilities Act has transformed the nation since its enactment in 1990. The ADA was intended to protect people with disabilities, including individuals with brain injury, from discrimination at work and in public life. As Congressman Jim Sensenbrenner stated at the House Judiciary Committee mark-up, “The ADA has been one of the most effective civil rights laws passed by Congress. Its continued effectiveness is paramount to ensuring that the transformation that our nation has undergone continues in the future and that the guarantees and promises on which this country was established continue to be recognized on behalf of all its citizens.”

Unfortunately, over the last decade Supreme and lower court decisions have excluded large groups of people with disabilities from receiving the employment protections. Men and women, veterans, young adults, aging Americans – the backbone of communities and families – are caught in a Catch-22 and are often treated as “too disabled” to work but ruled “not disabled

enough” to be qualified for equal rights under the ADA. Further, these judicial restrictions block people with conditions such as epilepsy, diabetes, multiple sclerosis, cancer, heart disease and bipolar disorder – those whom Congress clearly intended to protect under the ADA in 1990 – from seeking protections against employment discrimination under the ADA. *The ADA Amendments Act of 2008* will re-establish these protections.

The employer and disability community believe that there is an opportunity in this Congress to improve the ADA and address issues that have been raised by court decisions. The *ADA Amendments Act of 2008* is the product of meaningful negotiations and discussions with experts in the disability community, business and employer groups, Members of Congress, and congressional staff. This legislation strikes a good balance between protections for individuals with disabilities and the interests of business and employers. All involved have worked to craft legislation that will ensure all Americans have a fair opportunity to secure employment.

This legislation is supported by CCD and many other national disability and business organizations. The employer and disability communities understand the benefit of this legislation for both employers and employees because it puts more Americans to work.

Again, the Brain Injury Association of America appreciates your attention to this important civil rights legislation, and urges you to support *The ADA Amendments Act of 2008* as reported out of committee without amendments.

Sincerely,

A handwritten signature in black ink that reads "Susan H. Connors". The signature is written in a cursive, flowing style.

Susan H. Connors, President/CEO
Brain Injury Association of America