



## **COMMISSION ON PERSONS WITH DISABILITIES (DCCPD)**

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As advocates for effective public policy, we protect the rights of all residents of and visitors to the District of Columbia, regardless of their physical or mental ability.

April 9th 2018

The Honorable Charles Grassley  
Chair, Senate Judiciary Committee  
135 Hart Senate Office Building  
Washington, DC 20510

The Honorable Dianne Feinstein  
Ranking Member, Senate Judiciary Committee  
331 Hart Senate Office Building  
Washington, DC 20510

Dear Chairman Grassley and Ranking Member Feinstein:

The D.C. Commission on Persons with Disabilities (DCCPD) writes to express our opposition to the ADA Education and Reform Act of 2017 (H.R. 620), which passed the House of Representatives in February and now moves to the Senate for consideration. We urge you not to bring up this bill for Senate consideration. DCCPD was established by the Mayor of the District of Columbia to serve as an Advisory Board to inform and advise the District on programs, services, facilities, and activities that impact the lives of residents with disabilities in the District. If enacted, H.R. 620 would gut provisions on public accommodations under the Americans with Disabilities Act (ADA) Title III by removing any incentive that businesses have to comply with the law before a complaint is filed by an individual with a disability.

This means that Dr. Denise Decker (Ward 2), for example, a long-time DC resident and a management professional, who cites the profound influence that her six guide dogs have had on her life, and who was recently refused services at a local restaurant, would have no legal recourse and the business would have no need to fix the issue thus continuing to discriminate against her and others with disabilities.

DCCPD believes that H.R. 620's language is relic from the 1930s, when discrimination was formed from service systems based on a charity model and when societal stigmas placed on people with disabilities colored policymaking. Passing this bill would make a clear statement by Congress that they consider people with disabilities to be second-class citizens and whose rights are not important enough to be addressed until after they are excluded. H.R. 620, if passed, would be the first law to allow this type of discrimination.

"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." (September 7, 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)).



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The ADA was put in place, 28 years ago, to end the practice of discrimination against people with disabilities and to enforce their rights to access public accommodations equal to persons without disabilities. Businesses have now had 28 years to embrace and implement the equal access requirements of the ADA including access to extensive resources and in-depth technical assistance materials from the nation's ten regional ADA Technical Assistance Centers; they should not be given extra time to comply as H.R. 620 would allow. We do not support discriminatory laws that would put the burden of accessibility upon people with disabilities and remove the incentive of businesses to provide access independently and proactively.

We urge the Senate not to consider H.R. 620 or any other similar legislation that would diminish the rights of our citizens. We are available to discuss further the harm that the passing of H.R. 620 would have on the world's largest minority population and thank you for your consideration.

Sincerely,

The Commission on Persons with Disabilities

Kamilah Martin-Proctor, Chair

Dr. Denise Decker

Dr. Silvia Martinez

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Charlotte Clymer

Terrance Hunter

Gerard "Gerry" Counihan

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