

WASHINGTON, DC - House Majority Leader Steny H. Hoyer (MD) led a press conference this morning with Senator Tom Harkin and Representative James Sensenbrenner to introduce legislation to restore the full promise of the Americans with Disabilities Act, on the 17th anniversary of the passage of that landmark civil rights legislation. Below are his remarks as prepared for delivery:

"Seventeen years ago today - on July 26, 1990 - the first President Bush signed the Americans with Disabilities Act into law, hailing it as 'the world's first comprehensive declaration of equality for people with disabilities.'

"That day was one of my proudest in public service - and I know Senator Harkin and others who helped lead the fight on the ADA feel the same way.

"This landmark civil rights law prohibited discrimination against Americans with disabilities in the workplace, public accommodations, and other settings.

"We knew that it would not topple centuries of prejudice overnight, but we believed that it could change attitudes and unleash the talents of millions of Americans with disabilities.

"And, we were right. Since its enactment, thousands of Americans with disabilities have entered the workplace, realizing self-sufficiency for the first time in their lives.

"The ramps, curb cuts, braille signs, and captioned television programs that were once novel are now ubiquitous.

"However, despite our progress, the courts - including the U.S. Supreme Court - have narrowly interpreted the ADA, limiting its scope and undermining its intent.

"How can it be, for example, that people with diabetes, epilepsy, heart conditions and even cancer have had their ADA claims dismissed?

"Yet, courts have ruled that medication or other corrective measures have made ADA claimants "too functional" to be considered "disabled" under the law.

"Let me be clear: This is not what Congress intended when it passed the ADA. We intended a broad application of this law. Simply put, the point of the ADA is not disability, it is the prevention of wrongful and unlawful discrimination.

"Thus today, Congressman Sensenbrenner - the former Chairman of the House Judiciary Committee - and I will introduce the "Americans With Disabilities Restoration Act of 2007" to restore the broad reach of ADA that we believed was plain in 1990.

"And, Senator Harkin intends to introduce very similar legislation in the Senate.

"Among other things, the bipartisan House bill - which already has more than 130 co-sponsors - will restore the original intent of the ADA by:

amending the definition of "disability" so that people who Congress originally intended to protect from discrimination are covered under the ADA, and preventing courts from considering "mitigating measures" - such as eyeglasses or medication - when determining whether a person qualifies for protection under the law.

"The fact is, the Supreme Court has improperly shifted the focus of the ADA from an employer's alleged misconduct, and onto whether an individual can first meet - in the Supreme Court's words - a "demanding standard for qualifying as disabled."

"As we note the 17th anniversary of this landmark law, its promise remains unfulfilled but is still within reach.

"Passage of this legislation is critical to helping us achieve the ADA's promise - and creating a society in which Americans with disabilities can realize their potential."

###